

**To:** Bangerter, Layne[bangerter.layne@epa.gov]  
**From:** Skip Brandt  
**Sent:** Fri 3/10/2017 7:00:02 PM  
**Subject:** the hold up? Do you know anything?  
[removed.txt](#)

# The weird mystery of the Trump administration's agriculture secretary vacancy

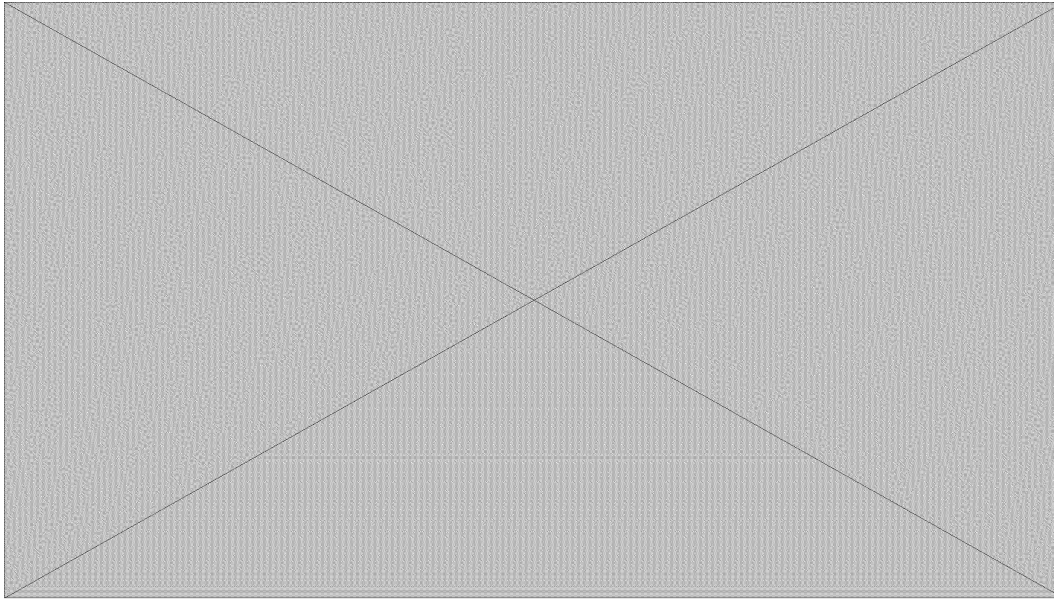
Sonny Perdue's stalled confirmation, not explained because nobody knows what's happening

Matthew Yglesias

Wednesday, 8 Mar 2017 | 10:56 AM ET [Vox](#)

44

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Getty Images

Sonny Perdue

Sonny Perdue, President Donald Trump's nominee to serve as agriculture secretary, has not yet been confirmed, and nobody knows why.

It's not that Democrats are obstructing his confirmation — since changes to the Senate's filibuster rule, they can't block a Trump nominee unless they recruit three Republican "no" votes. And in the case of Perdue — unlike, say, Education Secretary Betsy DeVos — they aren't trying to do this. Nor are they resorting to extraordinary measures like the all-night debate that stalled Attorney General Jeff Sessions's confirmation, or the committee walkouts that dramatized ethical issues hanging over the heads of Treasury Secretary Steve Mnuchin or Health and Human Services Secretary Tom Price.

More from Vox:

[Trump wants to defy the WTO. But that's not entirely crazy.](#)

[Trump praises House GOP's "wonderful" health care bill, administration declares support](#)

[Three Cabinet secretaries rolled out Trump's new travel ban — and took zero questions](#)

The reason the Senate hasn't yet approved his nomination is that he hasn't actually been officially nominated yet. Paperwork hasn't yet traveled down from the executive branch to the Senate, so no hearings have been scheduled, even though Perdue does not appear to be a controversial nominee.

Nobody knows what the problem is

Perdue's nomination appears to be in limbo due to either the FBI background check or to financial conflicts of interest considered by the Office of Government Ethics. But it

seems nobody is entirely sure whether there's an actual problem, how serious the problem is, or whether the vetters are simply overwhelmed with other work.

"They don't seem to have a reason as to why his name hasn't come up," Iowa Republican Sen. Chuck Grassley told reporters back on March 2.

Trump put forward his initial round of nominees with less attention paid to vetting than has been traditional for recent presidents. Problems later arose that forced his nominees for secretary of the Army, secretary of the Navy, and secretary of labor to withdraw. In the case of labor nominee Andy Puzder, the issue was a mix of intense liberal opposition plus a considerable amount of scandal. The Army and Navy secretary nominees withdrew after deciding that there was no satisfactory way to resolve their financial conflicts of interest that they were personally comfortable with.

So it is conceivable that Perdue has run into a business interest problem or that something more scandalous has come up. But it's also conceivable that the Trump administration's delayed interest in vetting has simply things backed up. Perhaps the Agriculture Department is simply a low priority. Trump swept up votes in rural America, but his personal interests are in big city real estate development, and his trade protection agenda would be a disaster for American farmers.

**TRUMP**  
**MAKE AMERICA GREAT AGAIN!**

**To:** Bennett, Tate[Bennett.Tate@epa.gov]; Bangerter, Layne[bangerter.layne@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]  
**From:** Hanson, Andrew  
**Sent:** Fri 7/21/2017 5:04:11 PM  
**Subject:** Fwd: Frank Luntz Host Focus Group with Bipartisan Congressional Delegation - CBS News

Sent from my iPhone

Begin forwarded message:

**From:** "White, Walter William" **Personal Email/Ex. 6**  
**Date:** July 21, 2017 at 12:57:42 PM EDT  
**To:** Undisclosed recipients;;  
**Subject:** Frank Luntz Host Focus Group with Bipartisan Congressional Delegation - CBS News

Last week, pollster Frank Luntz hosted a rare focus group with a bipartisan group of member of Congress – both from the House & Senate – to discuss Russia, healthcare tax reform and other key public policy issues facing the Congress and the nation.

This piece aired on CBS News and I thought you might find their dialogue of interest.

Here is the link to watch the entire session without commercials. <https://youtu.be/aYc5RISV6Nc>



**To:** Hanson, Andrew[Hanson.Andrew@epa.gov]  
**From:** Bangerter, Layne  
**Sent:** Wed 8/9/2017 6:34:38 PM  
**Subject:** RE: Ayers

Polar-opposites'.

**From:** Hanson, Andrew  
**Sent:** Wednesday, August 9, 2017 2:32 PM  
**To:** Bangerter, Layne <bangerter.layne@epa.gov>  
**Subject:** RE: Ayers

Better Nick Ayers than Bill Ayers, friend of the previous Prez.

**From:** Bangerter, Layne  
**Sent:** Wednesday, August 09, 2017 2:21 PM  
**To:** Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)>  
**Subject:** Ayers

### **Mike Pence's real power move**

Amid White House staff changes, the vice president has replaced his long-serving chief of staff with sharp-elbowed political operative Nick Ayers.

By [ELIANA JOHNSON](#)

08/08/2017 10:26 PM EDT

Updated 08/09/2017 01:07 PM EDT

2017-08-09T01:07-0400



During the campaign, Nick Ayers served as the chief conduit between Vice President Mike Pence and President Donald Trump. | Getty Images

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The vice president's office hasn't been one of the competing power centers in President Donald Trump's faction-riven White House — but the recent arrival of Nick Ayers, the veteran campaign operative now serving as Mike Pence's chief of staff, is starting to change that.

Ayers' hire, according to interviews with eight current and former administration officials, was less about a secret campaign to challenge Trump in 2020 and more about helping the vice president — who, at just 58, has a political future ahead of him in the post-Trump era — preserve his future political options, whatever they may be.

Story Continued Below

A veteran political operative, Ayers had for months been quietly warning the vice president that Trump's troubles could cause collateral damage and that he needed to take a more aggressive posture on a range of issues to ensure he enters the post-Trump era on solid ground, according to two White House officials.

Ayers arrived in the West Wing as Reince Priebus, one of the few White House aides with Washington experience, was replaced as President Donald Trump's chief of staff by retired Marine Gen. John Kelly. Ayers, a 34-year-old Georgia native, replaced Josh Pitcock, the long-serving Pence aide distinguished by his quiet and inoffensive manner.

Among the reasons Ayers didn't join the White House in January was a long-running feud with Priebus, who reportedly blocked Ayers' ascension to the chairmanship of the Republican National Committee in December and, according to one White House aide, worked to keep him out of the administration. Priebus has said the decision was not personal — that he considers Ayers a friend and wanted him in Washington — but that he wanted his successor to be a member of the RNC.

Last week's passing of the baton from Priebus to Kelly and from Pitcock to Ayers has heralded broader changes in the White House — reining in presidential aides and prompting more assertiveness from the vice president's allies.

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With the exception of political director Bill Stepien, a former Chris Christie aide, the political operation is now staffed almost entirely by Pence World operatives — from Ayers himself to congressional liaison Marc Short, who moonlights as a surrogate to top-dollar donors, to former Pence aide Marty Obst, who is leading the super PAC charged with supporting the administration and hammering its enemies.

It wasn't just Pence who wanted Ayers back in the West Wing. Among those encouraging him to join the White House staff were Trump son-in-law Jared Kushner and chief strategist Steve Bannon, as well as the president's son, Don Jr., with all of whom he worked closely during the campaign, where he served as the chief conduit between Pence World and Trump Tower. "Nick previously served as a key asset contributing to the success of the campaign and is a great addition to the team," Kushner told POLITICO in a statement.

White House spokeswoman Sarah Huckabee Sanders added: "The vice president is committed and dedicated to helping the president and assisting him in helping his agenda and committed to his reelection in 2020."

Ayers is a schmoozer whose crisis-management skills the vice president has come to rely on. Given their close relationship, several administration officials said that his hiring was unsurprising. Nobody was more frustrated than Ayers, for example, at the sluggish response to reports that National Security Adviser Michael Flynn had deceived Pence about his meetings with former Russian ambassador Sergey Kislyak — including the vice president himself, according to a person familiar with the situation — and Ayers has consistently pushed Pence to get off his hind legs and show some attitude.

During the campaign, Ayers served at Bannon's behest as the chief conduit between Pence World and the president's core team, working with them on the vice presidential vetting process, for example — and spent the last two weeks of the race traveling with the president. "He's a Trump guy," Bannon said.



### Trump's 'fire and fury' threat to North Korea sparks new fears of war

By BRYAN BENDER and JACQUELINE KLIMAS

But some members of the administration felt that the synergy between the two worlds that developed on the campaign trail evaporated with Ayers' absence from the White House, even though he's been spending two days a week in Washington since November.

Ayers declined to comment for this piece, as did a spokesman for Pence.

Though they have grown close over the past three years, some who know the vice president well say that Ayers is a departure from the sort of aides with whom the vice president typically surrounds himself. “Throughout his career, he has consciously surrounded himself with people who are not super political,” according to Ryan Streeter, who served as deputy chief of staff for Pence during his time as Indiana governor, when he would scold aides he overheard strategizing in the office for “playing politics.”

“He has always trusted his own political instincts,” Streeter said.

On the campaign trail and for much of his time in the White House, Pence has gone out of his way to be a loyal lieutenant — serving as the first line of defense for the president on a range of crises, often at the expense of his own credibility, and keeping his head down during internal policy battles. He stayed quiet even on issues close to his heart, like the executive order on religious liberty that Trump signed in May, according to a senior White House aide.



Nick Ayers and Kellyanne Conway arrive at Trump Tower on Dec. 8 in New York City. | Drew Angerer/Getty Images

Pitcock, who is reserved by nature, did little to check those impulses. Though he had spent a dozen years by Pence’s side, the vice president — who harbors ambition for a political future beyond the Trump administration — found himself pining for Ayers’ sharp elbows amid the daily turmoil of the administration and called him frequently for advice

and counsel.

White House aides say the vice president does seem to have gotten a jolt of energy. He has for the first time taken substantive positions on some of the most controversial debates within the administration. In response to entreaties from National Security Adviser H.R. McMaster, he has become a key voice in favor of increasing U.S. troop levels in Afghanistan, helping to build consensus within the administration and to make the case to the president. An aide to the vice president disputed that characterization, saying that Pence is serving as an honest broker between the various factions and is not advocating for any particular outcome.

“For the first six months of the administration, Pence was sort of afraid to take any sort of substantive position on anything, in any deliberations,” said a senior White House aide. Sanders disputed that characterization, telling POLITICO she had seen the vice president weigh in on internal policy debates, though she declined to name any.

Pence has also been quietly ramping up his political activity, cultivating Republican donors at small private dinners and headlining an event alongside Ivanka Trump that raised more than a million dollars for Republican candidates. His outreach to the party’s wealthiest donors doesn’t require much political calculation: It’s an area that Trump, who has little interest in glad-handing deep-pocketed donors, has left wide open for him.

Pence, for example, has longstanding ties to the Koch brothers’ political network, which was a strong supporter of his governorship but stayed on the sidelines of the 2016 election due to widespread opposition among donors to Trump’s candidacy. Short, whose adorns his office with Pence paraphernalia, is a former president of the group that oversees the Koch brothers’ political activism, which has declined over the past 18 months.



### New Jersey gives Trump a chilly reception

By MATT FRIEDMAN

Few believe there’s a conceivable chance that Pence — whose loyalty to Trump has at times bordered on obsequiousness — would launch a primary campaign against him in 2020. He denied a New York Times report over the weekend that he was eyeing a presidential campaign, which he called not only “categorically false” but “disgraceful and offensive to me, my family, and our entire team” — though Ayers’ aggressiveness was evident in the vigor of his response.

“The guy’s not stupid, he’s smart, and he’s proven pretty well that he’s loyal to Trump,” said Stanley Hubbard, a Minnesota billionaire and longtime Republican donor. “I think it’d ridiculous to think that he’d be so foolish.”

But there's little doubt the 58-year-old vice president harbors ambitions for a political future after Trump. A former radio talk-show host, Pence has spent most of his professional life in politics — a dozen years in Congress and four in the governor's mansion, where he fielded entreaties to run for president from leaders of the tea party movement as well as from some of the party's leading intellectuals — first in in 2012 and again in 2016.

Ayers is around to ensure that if Trump is out of the picture for one reason or another his man will be ready. He is elbowing his way into meetings at which the vice president was previously unrepresented and, while Pitcock would limit himself to delivering brief updates on Pence's upcoming events, Ayers freely shares his views on the White House's messaging and political strategy. He is making himself a ubiquitous figure, pacing the hallways, talking on his cellphone.

"He walks around like he owns the place," said a senior White House aide.

**To:** Hanson, Andrew[Hanson.Andrew@epa.gov]  
**From:** Bangerter, Layne  
**Sent:** Mon 7/17/2017 5:06:00 PM  
**Subject:** Re: Trump Tower meeting included more people beyond Russian lawyer

We have a normal good amount of bull snakes.

Sent from my iPhone

On Jul 17, 2017, at 9:08 AM, Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)> wrote:

Any interesting reptiles?

**From:** Bangerter, Layne  
**Sent:** Monday, July 17, 2017 10:59 AM  
**To:** Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)>  
**Subject:** Re: Trump Tower meeting included more people beyond Russian lawyer

Yes just get here!

Sent from my iPhone

On Jul 14, 2017, at 8:49 PM, Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)> wrote:

Tracey and I are really glad you took that trip....wish I could be there with your crew.

**Ex. 6**

Sent from my iPhone

On Jul 14, 2017, at 7:51 PM, Bangerter, Layne <[bangerter.layne@epa.gov](mailto:bangerter.layne@epa.gov)> wrote:

I totally agree.

Sent from my iPhone

On Jul 14, 2017, at 12:38 PM, Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)> wrote:

Tell you this much. You don't want to be caught lying to CEG. Have used to have Reagan-era DoD officials for breakfast, and I don't mean as guests.



**From:** Tracey Hanson **Personal Email/Ex. 6**  
**Sent:** Friday, July 14, 2017 2:16 PM  
**To:** Hanson, Andrew <[Hanson.Andrew@epa.gov](mailto:Hanson.Andrew@epa.gov)>  
**Subject:** Trump Tower meeting included more people beyond Russian lawyer

Sen Grassley mentioned in article.

Check out this story on CNN:  
<http://www.cnn.com/2017/07/14/politics/donald-trump-jr-meeting/index.html>

**To:** frank@frankwuco.com[frank@frankwuco.com]  
**From:** Benton, Donald  
**Sent:** Thur 2/2/2017 2:38:47 PM  
**Subject:** FW: We need to dump this news service  
[epaNewsBriefing170202.doc](#)  
[~WRD000.jpg](#)

Frank,

FYI- my scientist here indicates that they disseminate a lot of false/fake news stories here at EPA.

Thought you may want to look into it.

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



**From:** Kreutzer, David  
**Sent:** Thursday, February 2, 2017 9:25 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Cc:** Schnare, David <schnare.david@epa.gov>; Benton, Donald <benton.donald@epa.gov>  
**Subject:** We need to dump this news service

We don't need to continue disseminating this junk.

I don't know what we are paying bulletinintelligence.com but two other government contracts are worth over \$1 million each.

From Bloomberg, <http://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=49244746>

## **Bulletin Intelligence LLC Wins \$1.3 Million Federal Contract**

Sep 26 15

Bulletin Intelligence LLC won a \$1,303,664 federal contract set aside for small business from the U.S. Department of Homeland Security's Federal Emergency Management Agency for media monitoring and analysis.

## **Bulletin Intelligence LLC Wins \$1,193,488.56 Federal Contract**

Jul 9 16

Bulletin Intelligence LLC won a \$1,193,488.56 federal contract from the U.S. Citizenship and Immigration Services for media monitoring services.

**From:** Bulletin Intelligence [<mailto:epa@bulletinintelligence.com>]  
**Sent:** Thursday, February 2, 2017 7:01 AM  
**To:** [epa@BulletinIntelligence.com](mailto:epa@BulletinIntelligence.com)  
**Subject:** EPA Daily News Briefing for Thursday, February 2, 2017

Mobile version and searchable archives available at [epa.bulletinintelligence.com](http://epa.bulletinintelligence.com).

TO: ADMINISTRATOR AND SENIOR EXECUTIVES

DATE: THURSDAY, FEBRUARY 2, 2017 7:00 AM EST

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- [EPA Begins Testing For Toxic Vapor Intrusion In Ballston Spa. \(SCHGAZ\)](#)
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- [Estimated Cost Of Keeping Flint On Detroit Water System: More Than \\$45M. \(MLIVE\)](#)
- [Researchers Find Discontinuation Of Corrosion Control Measures Caused Flint Water Crisis. \(MLIVE\)](#)

## **Administrator**

### **Democrats Stall Committee Confirmation Vote On Pruitt.**

The [Washington Post](#) (2/1, Dennis, Mooney, Weigel) reports Democrats boycotted a planned vote on EPA nominee Scott Pruitt. Democrats' staff distributed "an amendment from ranking member Tom Carper that would add new standards requiring nominees to submit more financial information." Sen. John Barrasso said he would not force a vote on Pruitt without Democrats in attendance, pledging to "move the nomination of Scott Pruitt as expeditiously as possible." [Bloomberg Politics](#) (2/1, Natter) reports Democrats told reporters that they were demanding transparency. Under committee rules, "at least two members of the minority must be present to constitute a quorum and allow the panel to take action on legislation and nominations," but the committee "could attempt to change those rules or temporarily suspend them in a bid to move Pruitt's nomination to the Senate floor" as done Wednesday by the Senate Finance Committee.

[E&E Daily](#) (2/1, Bravender) reports that Sen. Carper "said the responsibility falls on Pruitt" because he failed to fully answer Democrats' questions. Sen. Carper was also "particularly irked that Pruitt told Democrats they would have to request emails from his tenure as Oklahoma's top law enforcement official

under an open records process that has a nearly two-year backlog.”

E&E Publishing (2/1) notes that Republicans have boycotted committee votes in the past on EPA administrator nominees, including for Obama’s pick in 2013, Gina McCarthy. Reuters (2/1, Gardner) also reports. CBS News (2/1) reports that Republican members were critical of their Democratic counterparts for failing to attend, and accused them of obstructionism. Alaska Dispatch News (2/1) reports that Alaska Sen. Dan Sullivan described the Democratic boycott as a “senatorial temper tantrum.”

### **More Than \$3M Spent Lobbying For, Against Pruitt For EPA Chief.**

The Hill (2/2, Cama) reports that more than \$3 million has been spent by opponents and supporters of Oklahoma Attorney General Scott Pruitt in an effort to sway his confirmation process. The “National Association of Manufacturers is the biggest spender in favor of Pruitt with a seven-figure ad campaign,” while Tom Steyer says his group NextGen Climate Action has spent similar amounts.

### **Additional Reading.**

-  *Scott Pruitt Will Make America Great Again – For Polluters.* Huffington Post. (2/1)

## **Brownfields/Superfund/Other Cleanups**

### **Gold King Mine Spill Update.**



KRDO-TV Colorado Springs, CO (2/1, 6:18 p.m. EST) reported, “New Mexico is update its long term plan to monitor the effect of the 2015 mine waste spill that fouled rivers in three western states. The state’s environment department says the plan was developed by a team that includes science and engineering experts. The state department representative says there are concerns about a decision by the EPA to not pay damage claims. EPA workers triggered the spill at the Gold King Mine, Southern Colorado, releasing 3 million gallons of waste water tainted with heavy metals.”

## **Climate Change**

### **Sources: Dismantling Clean Power Plan Likely To Come After Pruitt Confirmation.**

ClimateWire (2/1) reports White House press secretary Sean Spicer “sidestepped” a question “about whether the administration might target U.S. EPA’s endangerment finding,” which is used to justify the Clean Power Plan. Former Trump transition advisor Myron Ebell has said transition officials discussed potentially delaying an announcement on the Clean Power Plan until Scott Pruitt is confirmed as EPA administrator. Ebell said last week. “I think they’re trying to decide whether to do it before he’s confirmed, or wait until after he’s confirmed. And of course if the Democrats delay his confirmation, my guess is they won’t wait around.” Sources close to the transition “say that the complicated process of undoing the Clean Power Plan could be better managed under the stewardship of Pruitt and his team at the agency.” David Doniger at the Natural Resources Defense Council said, “As long as the endangerment finding is intact, then the agency is under legal obligation to curb the emissions from these sources.”

### **CA: Term-Limited Brown Has \$15M In His Campaign Account.**

The Los Angeles Times (2/1, Myers) reports that Gov. Jerry Brown (D), who is term-limited in 2018, has “a \$15-million political war chest, one of the largest of any elected official in the state.” The Times says Brown “could easily use his campaign cash on any number of efforts,” including “potentially asking California voters to extend or expand the state’s landmark climate change laws,” though the Democrat currently “is staying out of any speculation about what might happen. ‘I think it’s safe to say he’s keeping his options open,’ said Dana Williamson, the governor’s political strategist.” The Times added that Brown “has more cash on hand than any of the three leading Democrats vying to replace him in 2018.”

### **California Bill Would Add “Social Costs” To Public Contract Bids.**

The San Jose (CA) Mercury News (2/1, Murphy) reports a new California bill aims to add social costs of greenhouse gas emissions to bids by contractors vying for state-funded infrastructure projects. The measure “would be the first of its kind in the nation and would give companies an incentive to offer the best deal for the environment, not just the lowest price.”

### **EU Looks To China As US Retreats On Climate Change.**

Reuters (2/1, De Carbonnel) reports EU officials are looking to China as the US retreats from international efforts to tackle climate change, “fearing a leadership vacuum will embolden those within the bloc seeking to slow the fight against global warming.” Some EU diplomats “worry Europe is too weak to lead on its own in tackling climate change” as Brexit, Russian energy dependence, and protecting industry threatening the bloc’s common policy. “We need to embrace the fact that China has invested very heavily in clean energy,” Gregory Barker, climate change minister to former British Prime Minister David Cameron, told Reuters. “If America won’t lead then it’s clear that China will.”

## **Energy**

### **US House Votes To Repeal SEC “Extraction Rule”.**

Reuters (2/1) reports that the Republican-led House of Representatives voted to remove “two major U.S. rules aimed at curbing corruption and pollution in the energy sector.” The Senate is expected to take up the issue as soon as Thursday. The Securities and Exchange Commission’s “extraction rule” was approved in 2010 to require energy companies, such as Exxon Mobil and Chevron Corp., to publicly state the taxes and other fees they pay to governments. On the House floor, chairman of the Financial Services Committee Jeb Hensarling said the rule was part of “a radical leftist elitist agenda against carbon-based jobs.”

### **Renewable Energy Industry Urges Trump To Consider Green Jobs In Rural Areas.**

Bloomberg News (1/31, Martin) reports the renewable energy industry wants the Trump Administration to know that when it comes to “bringing energy jobs to rural communities: get out of the coal mines and look to the sky.” The US wind power industry had over “100,000 workers at the end of the year and the solar industry had more than double that,” and they are “a significant source of employment in many of the rural red states that supported Donald Trump’s campaign.” At the beginning of last year there were 65,971 coal mining jobs, the Energy Department reports. Renewable energy industry leaders “say the rural areas that missed out on economic growth under President Barack Obama are benefiting from the expansion of clean energy.” The article mentions that while Trump Administration will be “more fossil-fuel friendly,” former Texas Governor Rick Perry, Trump’s choice to be the next energy secretary, “helped his state become the largest producer of wind power.”

***Pastor Enthusiastic About Perry, Other Evangelicals In Cabinet.*** In an article about evangelical support for Trump and today's National Prayer Breakfast, the [Washington Post](#) (2/1, Bailey) reports Ronnie Floyd, a former Southern Baptist Convention president, indicated that he "is especially excited by 'followers of Christ' nominated for Trump's Cabinet." Rick Perry was listed among those he was excited about. Floyd said of evangelicals, "The administration has been way over the top in giving them visibility and recognition that we can bring values."

***Palomarez Supports Perry For DOE Secretary.*** Javier Palomarez, president and CEO of the US Hispanic Chamber of Commerce, writes in an op-ed for [The Hill](#) (2/1, Palomarez) that the mission of the Energy Department "is to ensure America's security and prosperity by addressing its energy, environmental and nuclear challenges through transformative science and technology solutions." With Gov. Perry's "knowledge and experience in this arena, we believe he is a qualified candidate to serve as secretary of Energy." Palomarez concludes, "We hope for a smooth confirmation and look forward to working with him to keep powering America's business future."

## Enforcement

### **Volkswagen Agrees To Emissions Cheating Scandal Settlement.**

The [New York Times](#) (2/1, Ewing) reports Volkswagen has agreed to a settlement of "more than \$20 billion to settle civil and criminal suits in the United States over its diesel emissions scandal" that affects around 600,000 cars. Through the settlement, "owners of two-liter vehicles and 2009-12 three-liter models can either sell them back to Volkswagen for a price reflecting their value before September 2015, when the diesel cheating became known, or have their cars repaired free." [Bloomberg News](#) (2/1, Mehrotra) reports specifically, the filings from the San Francisco federal court indicate the compensation would be "as much as \$16,114." The deal "brings the total damages in North America to more than \$23 billion." Repurchasing the 3-liter vehicles adds to "the 482,000 2-liter autos that are being bought back or repaired under a previous agreement." Should VW not make the repairs on time according to the deal, the company's "burden from the issue will increase to as much as \$4.04 billion." US District Judge Charles Breyer is set to review the "proposed 3-liter settlement on Feb. 14." If he gives "preliminary approval, car owners and others would be given a chance to comment on the agreement before it becomes final."

The [Wall Street Journal](#) (2/1, Wilkes) reports that in a separate US settlement on Tuesday, German parts supplier Robert Bosch GmbH agreed to a settlement of \$327.5 million for allegation it helped created the defeat device software that was installed in VW cars. If the settlement is approved, the investigation into Bosch would be closed. The [New York Times](#) (2/1, Ewing) reports Bosch has continuously denied any knowledge or involvement in the emissions cheating scandal and did not admit to any wrongdoing as part of the settlement with VW owners and the Federal Trade Commission. The company still faces a criminal investigation by German attorneys "as well as multiple civil suits by Volkswagen owners in Europe." On Wednesday, Bosch said it would "continue to defend its interests in all other civil and criminal law proceedings and to cooperate comprehensively with the investigating authorities in Germany and in other countries."

[Reuters](#) (2/1) highlights lawsuits and investigations VW still faces that have yet to be resolved, including: lawsuits from other US locations; German damages claims; a lawsuit in Australia, several other lawsuits from European countries; and the indictments of several VW executives in South Korea.

The [Financial Times](#) (2/1, McGee) provides additional coverage.

## Other News

### **EPA Workers Grow More Concerned About Political Interference.**



Greg Sargent writes for the Washington Post (2/1, Sargent) in its “Plum Line” blog on anxiety among federal workers in the EPA. John O’Grady, president of the union that represents some EPA employees nationwide, told The Washington Post “that Trump’s firing of the acting attorney general who said she would not defend his immigration order in court was producing a ‘chilling effect through the agency.’” O’Grady said political interference was a worry and that insiders are concerned that internal dissent with such interference, or efforts to draw attention to it, could meet with punishment in the form of “losing a job” or “not being promoted” or “not getting a prime assignment.”

### **House Science Committee To Hold Hearing On “Making The EPA Great Again”.**

ClimateWire (2/1, Bravender) reports that next week a House committee will hold a hearing on “Making the Environmental Protection Agency Great Again.” House members are likely to discuss the “Secret Science Reform Act,” which would require the EPA to use only “transparent and reproducible” science to develop regulations. Democrats and opponents to the bill “say the measure would have a crippling effect, since large-scale studies are not easy to reproduce and some industry or private data can’t be made public.”

### **Gorsuch Seen As Smart But Light On Energy Issues.**

E&E News PM (2/1, Gilmer) reports that President Trump chose Judge Neil Gorsuch from the 10th US Circuit Court of Appeals as his Supreme Court nominee. “Gorsuch’s record on energy and environmental issues is light, but experts have described the Colorado native as well-qualified and traditionally conservative.” BakerHostetler attorney Mark Barron praised Gorsuch as having Scalia’s brand of “intellectual firepower” and for being “smart as hell.” In remarks following Trump’s announcement, “Gorsuch highlighted his commitment to impartiality, independence and collegiality on the bench,” E&E reports. E&E profiles Gorsuch, reporting that he is “most notable for his extreme distaste for Chevron deference, a legal doctrine under which judges typically defer to an agency’s judgment when it is interpreting ambiguous law.” Such deference arises “frequently in litigation surrounding technical rules” from the EPA, the Interior Department and other agencies covering energy and the environment. On specific energy and environmental issues, “Gorsuch’s record is less developed,” but include rulings the story goes on to detail.

*Gorsuch May Overturn Chevron Deference, Dems Planning Pruitt Vote Boycott.* Bloomberg Government (2/1) reports in its blog that if President Trump’s pick for the Supreme Court Neil Gorsuch is confirmed, it would putting a leading critic of “Chevron deference” on the court. Gorsuch wrote in a concurring decision last year, “But the fact is Chevron and Brand X permit executive bureaucracies to swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers’ design. Maybe the time has come to face the behemoth.” Senate Democrats are also planning to boycott a Senate Environment and Public Works Committee vote on EPA nominee Scott Pruitt. Sen. Tom Carper complained that Pruitt failed to provide documents from his time as Oklahoma AG, and he was not forthcoming in his answers to questions. Carper said, “I also asked him to name any EPA regulation on the books today that he supports. Mr. Pruitt could not name one.”

### **Murkowski Urging GOP Leaders To Bring Perry Nomination To Senate Floor For Vote.**

The “Morning Energy” blog of Politico (2/1) reported Senate Energy and Natural Resources Committee Chairwoman Lisa Murkowski signaled that she’s urging “Republican leadership to move the nominations of Rick Perry for DOE and Interior selection Ryan Zinke up the line for floor consideration, after both won bipartisan backing from her committee Tuesday. But she admits Democrats may hold up fast confirmations for both.” Murkowski told ME, “My hope is that the strong bipartisan support that we had for both gentlemen will allow them to find an easier path forward. ... It does worry me because the president deserves to have a Cabinet.”

In articles about other Trump Cabinet nominees, the Los Angeles Times (2/1, Mascaro), the Wall Street Journal (2/1, Harder), the Washington Post (2/1, Snell, Weigel, O'Keefe) and NPR (2/1, Seipel) mention that Perry and Zinke were approved by the Senate Energy and Natural Resources Committee on Tuesday.

***Saudi Oil Minister Lauds Trump Energy Policies.*** The Wall Street Journal (2/1, Faucon, Amon) reports Saudi Arabian oil minister Khalid al-Falih yesterday offered praise for the energy policies of President Donald Trump and signaled that he is in favor of increased oil production in the US “as long as they grow in line with global energy demand.” On Wednesday, al-Falih told the BBC, “President Trump has policies which are good for the oil industry, and I think we have to acknowledge it.” He also applauded the choices Trump has made for his Cabinet, including Perry who Falih called “pro-oil and gas.”

### **Civil Servants At Odds With Superiors Over Trump's Executive Actions.**

The Hill (2/1, Kamisar) reports civil servants have begun publicly clashing with their superiors over some of President Trump's executive actions. Chris Lu, the former deputy secretary of Labor in the Obama Administration, says, “I don't recall any kind of dissent like this happening either in a Democratic or Republican administration — this is clearly unusual.” Administration officials fired back that if civil servants disagree with the policy decisions, they are free to find other jobs. The Washington Post (2/1, Joe Davidson |, Columnist) reports despite the outcry of some employees, there is “no verifiable revolt by the workforce” against President Trump. Megan Durham, retired Fish and Wildlife Service deputy assistant director for external affairs, says “Sometimes you have to suck it up, choose your battles, and do the best you can within the system to educate your political bosses and continue to perform your agency's mission.”

The Washington Post (2/1) reports federal workers are in “regular” contact with Obama Administration appointees about possible avenues of backlash against President Trump's initiatives. Some have created social media accounts aimed at leaking word of possible changes Trump appointees plan to make. Other officials have stated they will “slow their work” if they are asked to do tasks they agree with.

The Washington Post (2/1, Selk) reports the EPA's twitter account has remained silent since President Trump took office. Canadian officials are warning US civil servants they may face a “regime of censored science” similar to what happened in Canada after former Prime Minister Stephen Harper took office. In 2014, 800 Canadian scientists sent Stephen Harper an open letter warning that “Canada's leadership in basic research, environmental, health and other public science is in jeopardy.”

### **Additional Reading.**

•■■■■■■■■■ ***Neil Gorsuch's Late Mother Almost Annihilated The EPA. Is History Repeating Itself?*** Newsweek. (2/1, Brenner)

## **Rules/Regulations/Policy**

### **NRDC Files Complaint Against EPA For Rescinding Mercury Protection Rule.**

Reuters (2/1, Stempel) reports “mere hours after Trump took office,” the EPA withdrew its final rule seeking reductions in the discharge of mercury from dental offices. Natural Resources Defense Council has filed a complaint against the EPA claiming the agency “illegally” rescinded the rule.

## **Manufacturers Hope Trump Policies Speed Up Environmental Permitting.**

Bloomberg Government (2/1) reports that manufacturers hope President Donald Trump's call to expedite permitting for new projects "will galvanize the EPA and state environmental regulators to speed up their permit review processes and pursue broader revisions to underlying regulations." The article adds that the manufacturing sector "has highlighted regulatory requirements, including delays in the processing of necessary permits, as a barrier to investment in domestic manufacturing projects." According to NAM Senior Director for Energy and Resources Greg Bertelsen, the Trump memo is "right in line" with what the NAM's message on environmental regulations has been for the past several years.

## **Toxics/TSCA**

### **EPA Begins Testing For Toxic Vapor Intrusion In Ballston Spa.**

The Schenectady (NY) Daily Gazette (2/1, Campbell) reports that the EPA will begin testing for "vapor intrusion" of carcinogenic air contaminants in the basements of Ballston Spa homes that may have migrated from an old dry-cleaning business. Don Graham, project coordinator for the EPA, said that the agency will assist property owners in installing air-blocking systems if the contaminants are found in homes.

***Local TV Coverage: Ballston Spa Contamination Miscommunication. WXXA-TV***

TV Albany, NY (2/1, 10:04 p.m. EST) reported, "A new concern about the chemical contamination that's coming from an abandoned dry cleaning shop in Ballston Spa. The EPA says Saratoga County called them to investigate the Ricketts property this past summer, but the Mayor of Ballston Spa wasn't alerted until the end of December. The EPA says their investigation began back in August when Saratoga County called them with concerns after a rep visited the site and saw asbestos and some mercury switches. The attorney for the county says it was up to the EPA to tell the mayor. The EPA says communication is important and that they will continue to keep in contact with those involved."

WTEN-TV

Albany, NY (2/1, 6:00 p.m. EST) reported similar coverage.

## **Water**

### **Estimated Cost Of Keeping Flint On Detroit Water System: More Than \$45M.**

MLive (MI) (2/1, Fonger) reports the Genesee County, Michigan Drain Commissioner's Office told the state's Department of Environmental Quality that keeping Flint and its neighboring suburbs connected to the Great Lakes Water Authority while it works towards being capable of treating its own water could cost more than \$45 million over a two-year period. While keeping Flint connected to the GLWA is expensive compared to other options under consideration by city and state officials at the moment, "experts have increasingly advised the state that the fewer changes in source water, the better for Flint."

## **Researchers Find Discontinuation Of Corrosion Control Measures Caused Flint Water Crisis.**

MLive (MI) (2/1, Fonger) reports Virginia Tech researchers published a peer-reviewed report which found that the Flint water crisis was caused by the decision to discontinue adding orthophosphate inhibitors once the state switched the city to a Flint River-dependent water supply. A news release highlighting the report said, "In the tap water, the high lead concentrations strongly correlated with the levels of cadmium, zinc and tin, which were also components of the pipe's original internal coating. ... According to the researchers, these results suggest that without corrosion inhibitors, the Flint River water caused the rust layers (with attached lead) to release from the interior of the iron pipe."

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**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Ericksen, Doug  
**Sent:** Tue 3/14/2017 3:17:10 PM  
**Subject:** RE: # of political appointee/senate-confirmed positions

If a list you have easy access to I would like to see it.

Thanks .

Ericksen

**From:** Grantham, Nancy  
**Sent:** Tuesday, March 14, 2017 10:02 AM  
**To:** Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: # of political appointee/senate-confirmed positions

All below are senate confirmed - do you want list of others?

Sent from my iPhone

On Mar 14, 2017, at 9:39 AM, Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)> wrote:

Nancy,

Thank you.

Do we know how many are appointed but not Senate confirmed?

Doug

**From:** Grantham, Nancy  
**Sent:** Monday, March 13, 2017 4:20 PM

**To:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Cc:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>; Grantham, Nancy  
<[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** RE: # of political appointee/senate-confirmed positions

**EPA has 14 positions that are Presidentially Appointed/Senate Confirmed:**

Administrator (Scott Pruitt)

Deputy Administrator

General Counsel

Chief Financial Officer

Assistant Administrator for Administration and Resources Management

Assistant Administrator for Air and Radiation

Assistant Administrator for Water

Assistant Administrator for Land and Emergency Management

Assistant Administrator for Chemical Safety and Pollution Prevention

Assistant Administrator for Environmental Information

Assistant Administrator for Enforcement and Compliance Assurance

Assistant Administrator for International and Tribal Affairs

Assistant Administrator for Research and Development

Inspector General (Arthur Elkins)

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**Personal Phone/Ex. 6**

**From:** Ericksen, Doug  
**Sent:** Monday, March 13, 2017 2:51 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** FW: # of political appointee/senate-confirmed positions

I would be interested in seeing answers to this questions if you have them handy.

Doug Ericksen

**From:** Davenport, Coral [<mailto:coral.davenport@nytimes.com>]  
**Sent:** Wednesday, March 8, 2017 4:23 PM  
**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>; Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>  
**Subject:** # of political appointee/senate-confirmed positions

Hi, Cathy and Doug,

Just circling back on these questions:

How many positions at EPA are politically appointed? How many of those require Senate confirmation? I've heard it's about 80 politically appointed & about 15 requiring Senate confirmation. Is that right? Can you confirm? Of the politically appointed positions, how many are actually filled now?

Also: can you let me know if administrator Pruitt met with Kisylak or any other Russian officials during the transition?

And: can you give any further confirmation on timing of CAFE announcement? Hearing

next week but would be helpful to know for guidance.

Thanks so much,

Coral

--

Coral Davenport

Energy and Environment Correspondent

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O 202-862-0359

**Personal Phone/Ex. 6**

Twitter @CoralMDavenport



**To:** Bulletin Intelligence[epa@bulletinintelligence.com]  
**From:** Ericksen, Doug  
**Sent:** Fri 1/27/2017 6:14:44 PM  
**Subject:** Re: EPA - Midday Update for Friday, January 27, 2017

Good to go

Sent from my iPhone

On Jan 27, 2017, at 12:41 PM, Bulletin Intelligence <[epa@bulletinintelligence.com](mailto:epa@bulletinintelligence.com)> wrote:

Mobile version and searchable archives available at [epa.bulletinintelligence.com](http://epa.bulletinintelligence.com).

TO: ADMINISTRATOR AND SENIOR EXECUTIVES  
DATE: FRIDAY, JANUARY 27, 2017 1:00 PM EST

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### Off The Wires

#### Economy Slows Unexpectedly In Fourth Quarter.

The Commerce Department reports today that the gross domestic product grew at an annual rate of 1.9 percent in the fourth quarter of 2016 as the trade deficit weighed on the economy. Economists had expected an increase of 2.2 percent. GDP grew at a rate of 3.5 percent in the third quarter.

### **Durable Goods Orders Down Unexpectedly In December.**

The Commerce Department reports today that durable goods orders fell 0.4 percent in December on weakness in the volatile category of defense aircraft. Economists had expected an increase of 2.6 percent. Orders for nondefense goods excluding aircraft, viewed as a proxy for business investment plans were up 0.8 percent for the month. Economists had expected a 0.2 percent increase.

### **Consumer Confidence Reaches Highest Level Since 2004 On Rising Expectations.**

The University of Michigan reports today that its index of consumer sentiment rose from 98.2 in December to 98.5 in January, the highest level in 13 years. Economists had expected the index to come in at 98.1. In a statement accompanying the release, University of Michigan economist Richard Curtin said, "Consumers expressed a higher level of confidence January than any other time in the last dozen years. The post-election surge in confidence was driven by a more optimistic outlook for the economy and job growth during the year ahead as well as more favorable economic prospects over the next five years." However, Curtin noted, "Overall, the post-election surge in consumer confidence was based on political promises, and not, as yet, on economic outcomes. Moreover, over the past half century the surveys have never recorded as dominant an impact of partisanship on economic expectations."

## **In The White House And Around Town**

### **Trump To Sign Immigration, National Security Executive Orders Today.**

White House spokesman Sean Spicer said today that President Trump this afternoon will sign executive actions on refugees and immigration, military readiness, and the National Security Council during a visit to the Pentagon. The immigration executive order will temporarily stop refugee asylum programs and bar entry from some majority-Muslim nations. At the Pentagon, the President will also meet with the Joint Chiefs of Staff and attend Defense Secretary James Mattis' ceremonial swearing in.

**Trump Meeting With UK Prime Minister May.** President Trump is also meeting with British Prime Minister Theresa May and will hold a joint press conference at 1 pm. The two leaders exchanged pleasantries at a brief photo-op at the White House.

### **Brookings Fellow: Trump Action On Refugees Could Upset International System.**

The international refugee system, constructed in the aftermath of World War II, "has enabled refugees in every region to find safety in other countries." President Trump's expected action to suspend all refugee resettlement to the US "threatens America's important role in a carefully-constructed international system," writes Elizabeth Ferris, senior fellow at the Brookings Institution. "This system was intended not only to protect the rights of those forced to flee violence, but also to prevent refugees from threatening international peace and security," she notes. It is a system that has proven "remarkably adaptable over the past six decades," however. "Some governments refused to allow refugees to enter their countries, or forcibly returned refugees to countries where their lives were in danger," notes Ferris. "Financial support to countries hosting refugees was never sufficient to cover their costs." That said, "Somehow, frayed at the edges as it is, the system has continued to meet the needs of both refugees and the international community." Now, with the implementation of an "America First" policy, "Why should Lebanon or Tanzania or a hundred other countries continue to receive refugees?" Ferris asked. "After all, over 85 percent of the world's

refugees are hosted by developing countries with far fewer resources than the United States.”

### **Trump Targets Mexico On Trade Again.**

President Trump again targeted Mexico on trade today, saying the US’ southern neighbor has taken advantage of the US. In a tweet sent from both his @POTUS and @realDonaldTrump handles, Trump said, “Mexico has taken advantage of the US for long enough. Massive trade deficits & little help on the very weak border must change, NOW!”

**Trump, Pena Nieto Have Hour-Long Phone Call.** Administration officials say President Trump today held an hour-long phone call with Mexican President Enrique Pena Nieto.

### **Conway Says Import Tax Could Fund Mexico Border Wall.**

On CBS News “This Morning,” presidential counselor Kellyanne Conway discussed President Trump’s pledge that Mexico would pay for his planned border wall, saying one way could be to impose a tax on imports from Mexico. Conway said, “As Sean Spicer, Reince Priebus said yesterday, two senior top officials here, that one possibility is to tax the imports from Mexico. Anywhere from five to 20 percent, that’s one option on the table. As we discussed last week together, Charlie, it could be congressional funding that’s then reimbursed by Mexico, but we have 60 billion dollar trade deficit every year with Mexico, America knows this. NAFTA was a bad idea from the beginning for Americans and for the America worker. Donald Trump has promised to put America first and that won’t change. And it certainly won’t change with respect to our relationship with Mexico.”

Asked if that would not result in retaliatory action by Mexico that would cost the US jobs, Conway said, “Possibly – they can do what they want, Charlie, but here’s the fact, the number one source of income into Mexico are Mexicans working here and sending the money back. So that’s why repatriation of funds is also a very big piece of President Trump’s vision for this country and how to really balance out and make more fair to America, Americans, American workers, our interest and allies. All these trade deals that have really imbalanced. People – we just have to stop having people and drugs pour over the border. We are a sovereign nation that spends billions of dollars trying to help other countries protect its borders. It’s high time we do the same for America.”

Asked why Mexico should pay for the wall, Conway said, “Well, they don’t want it, Gayle, because they want to continue to allow people and I assume drugs – since they’re not doing much to stop that – pouring over our borders. We have to look at America. Mexico should pay for that wall because they off – they get an awful lot from this country, through NAFTA and through other monetary disbursements, they get a ton of money from us, \$60 billion dollar trade deficit as the president noted.”

On Fox News “Fox & Friends” this morning, Conway said the US-Mexico relationship has “not imploded. This one meeting has been canceled, and that was a mutual cancellation. President Trump mentioned it first, of course, 9:24 am yesterday morning, basically saying that, hey, if he is not going to come here to discuss funding the wall, maybe why shouldn’t have the meeting now.”

### **Cardin Says Trump Proposals On Mexico Wall, Trade Will Hurt US Economy.**

On MSNBC’s “Morning Joe” today, Senate Foreign Relations Committee ranking Democrat Ben Cardin (D) said, “We need Mexico for immigration policies to work in our country. We need Mexico to stop illegal trafficking of drugs. Putting up this wall will not help in regards to immigration. His proposals on how to pay for it will hurt working families here in the United States and will hurt our economy. So, it’s just dangerous what he is suggesting in regards to our southern friend.”

### **Fox: US Produces “Mediocre” Cars.**

Former Mexican President Vicente Fox today said on CNBC’s “Squawk Box” that US car manufacturers were not competitive because they manufactured “mediocre” products. Fox said, “You produce cars in the United States at such a high price and such a mediocre, mediocre quality that you cannot compete, you cannot compete manufacturing in the United States. ... That’s why Ford, Chrysler, General Motors went broke.”

### **Schumer To Oppose Tillerson Nomination For State.**

Senate Minority Leader Charles Schumer announced today that he would oppose Rex Tillerson’s nomination as Secretary of State. In a statement, Schumer said, “Just one week into his administration, President Trump is turning our foreign policy into shambles. His nominee for Secretary of State, Rex Tillerson, a man who will not lift a finger to fight climate change and will not rule out a Muslim registry would make it even worse.” Schumer concluded, “When I met with Mr. Tillerson, I came away more concerned about his and the President’s plans and unimpressed with his grasp on foreign policy. I will oppose his nomination, and I encourage the full Senate to do the same.”

### **Trump Touts Pence’s Participation In March For Life.**

President Trump today highlighted Vice President Pence’s participation in the March For Life in Washington today. Pence is the highest level Administration official to ever address the march. Via his @POTUS and @realDonaldTrump handles, Trump tweeted, “The #MarchForLife is so important. To all of you marching --- you have my full support!” And, “.@VP Mike Pence will be speaking at today’s #MarchForLife – You have our full support!”

### **Trump Touts Election Fraud Reporting App.**

President Trump today touted Gregg Phillips, the developer of VoteStand, which bills itself as “America’s first online election fraud reporting app.” From his @realDonaldTrump handle, Trump tweeted, “Look forward to seeing final results of VoteStand. Gregg Phillips and crew say at least 3,000,000 votes were illegal. We must do better!” According to its website, “VoteStand provides you the online tools and support you need to quickly report suspected election illegalities as they happen.”

**VoteStand Founder Declines To Provide Proof On CNN.** On CNN’s “New Day,” Gregg Phillips of VoteStand discussed his tweets claiming that he had evidence of three million illegal votes in the 2016 election. Phillips said, “We began this effort years and years ago. We developed a data base of 189 million voting records. We augmented that with everything from geocoding to all sorts of identifying information and algorithms and verify identity and verify citizenship and all the other factors that go into a legal registered voter.” Phillips engaged in a circuitous exchange with anchor Chris Cuomo, who asked if he has “the proof.” Phillips said, “Yes.” Asked if he would provide it, Phillips said, “Yes.” Asked if he would give it to Cuomo now, Phillips said, “No.”

### **Trump Touts Border Wall, Citing Israel’s Example.**

President Trump today defended his call for a border wall, tweeting from his @POTUS handle, “People want protection and a wall protects. All you have to do is ask Israel...” The tweet included an embedded clip from his interview with Fox News’ Sean Hannity.

### **Conway Says Trump Will Nominate Pro-Life Supreme Court Justice.**

On CBS News "This Morning" today, presidential counselor Kellyanne Conway said President Trump would announce a pro-life Supreme Court nominee this week, but did not specify that the nominee would support repealing Roe vs. Wade. Conway said, "Donald Trump promised, as a candidate, in that unbelievable, impassioned defense of life on that October 19th debate against Hillary Clinton, that he would appoint pro-life justices to the United States Supreme Court."

Conway added, "I'm proud to stand and march with the – the pro-life people today. We're making history, and the fact that Vice President Pence will be the first vice president to ever address the march. This is a pro-life Administration."

### **Conway Won't Say Who Initiated Planned Trump-Putin Phone Call.**

Asked on CBS News "This Morning" about President Trump's planned phone call with Russian President Vladimir Putin, presidential counselor Kellyanne Conway said, "As you can see, beginning with Prime Minister May's visit today to the White House, Gayle, the President continues to talk to leaders of foreign nations. That's what presidents do. I assume they will discuss the interest of their respective countries, how to come together and work together on issues where you can find common ground and where these two – where these two nations can maybe defeat radical Islamic terrorism. I mean, that's a growing and nagging concern in this country."

Asked who initiated the call, Conway said, "I – I won't divulge that, but it also doesn't matter in – in that – we have to have leaders talking to each other. We have to forge better relationships around the globe."

On Fox News "Fox & Friends" this morning, Conway said Obama Administration sanctions on Russia would be on the table for their call. Conway said, "All of that is under consideration. And certainly in addition to improving relations with different foreign leaders and their nations around the globe. If Vladimir Putin wants to join with the US to have a serious conversation about how to defeat radical Islamic terrorism, that's what we call them around this White House. ... If another nation that has considerable resources wishes to join together with the United States of America to try to defeat and eradicate radical Islamic terrorism we are listening. It's very important to at least have this conversation."

**Putin Spokesman: Call To Focus On "Main Parameters" Of US-Russia Relations.** Dmitry Peskov, a spokesman for Russian President Vladimir Putin, said Putin wanted to congratulate Trump on his inauguration, and that the two would "exchange views about main parameters of current bilateral relations."

### **Cardin Worried Trump Will Make "Unilateral Concessions" To Putin.**

On MSNBC's "Morning Joe" today, Senate Foreign Relations Committee ranking Democrat Ben Cardin (D) discussed President Trump's planned phone call with Russian President Vladimir Putin, saying he was concerned that lifting US sanctions could be on the table. Cardin said, "We are extremely concerned that there might be unilateral concessions that are made. It's very interesting. Our traditional allies in NATO, the president doesn't have nice things to say. In regards to Mexico, he doesn't have nice things to say. But a country that attacked us, Russia that attacked our free election system, now we're talking about easing up sanctions where they had invaded Ukraine, where we're concerned that when you reward that type of conduct, all you are going to see is further Russian aggression. This really concerns all of us."

"Yes, we don't know." Secretary of State Designate Rex Tillerson was not strong at all in regards to maintaining or strengthening sanctions against Russia. These are concerns that we

have here. Mr. Tillerson has done a lot of business with Russia. We are concerned that he's going to be more interested in the business relationships than promoting American values."

### **Strategic Command Leader Says Preparation For War Key To Deterring Threats To Space Capabilities.**

Space capabilities have created a revolution in military affairs, in which information is the key to the battlespace, Gen. John Hyten, head of US Strategic Command, told an audience at Stanford University. The most important element of space, Hyten said, is a "geosynchronous orbit," more than 22,300 miles above the planet where satellites relay key information. "That's where we do our special communications from national command-and-control communications" as well as "our nuclear business," he said. "If somebody wants to threaten that and if they do something to geosynchronous orbit because of where that orbit is, the debris that's created will be there forever." As a result, "We have to deter bad behavior in space, and we have to deter conflict in space," Hyten said, adding that adversaries like China and Russia are currently building weapons in low-earth orbit and in GEO that will deploy from the ground to these areas of space. "In the not-too-distant future, they will be able to use that capability to threaten every spacecraft we have in space," he added. "We have to prevent that, and the best way to prevent that is to be prepared for war. So the United States is going to do that, and we're going to make sure that everybody knows we're prepared for war."

### **Iraqi Forces, US-Led Coalition Targeting Fleeing ISIL Fighters In Mosul.**

Iraq forces have cleared the eastern part of Mosul, the country's second-largest city after Baghdad, and are now focused on targeting remaining ISIL fighters as they attempt to flee the city, say top US military officials. In an "indication of their desperation" to get to ISIL-controlled territory, terrorists are trying to drive their vehicles through a shallow area of the Tigris River, said Capt. Jeff Davis, Pentagon spokesman. "Some vehicles are making it, some are not," Davis said, noting that ISIL had previously destroyed the bridges linking the two areas. The US-led coalition has carried out more than 50 airstrikes over the past week in Syria. "These strikes have destroyed more than 100 [ISIL] vehicles, more than 300 fortifications, degrading ISIL's ability to maneuver and defend themselves and the occupied city [of Raqqa] from advancing Syrian Democratic Forces," he added.

### **Conway Defends Bannon's Characterization Of Media.**

On Fox News "Fox & Friends" this morning, presidential counselor Kellyanne Conway defended Steve Bannon's characterization of the media and said it was dangerous for media to say President Trump has lied "without evidence but also without context." Conway said, "So what my colleague Steve Bannon is saying there is that Donald Trump understood America in a way many did not including those charged with informing America and educating America about the news, not their opinion. There is an awful lot of opining going on by individuals who call themselves reporters."

Asked about newspapers that have characterized some of Trump's statements as "lies," Conway agreed that reporters did not treat President Obama that way, "Even when he did. You can keep your job or if you like can you keep your insurance plan. We have 57 states in the nation. There were plenty of occasions to call out former presidents on their falsehoods. And that was done very sparingly and not so strategically. I think it is dangerous to the democracy and for those around the world watching. What we do and how this President is covered in his early days. Very dangerous to just throw in adjectives like that. Either without evidence but also without context."

### **Trump Announces Manufacturing Jobs Initiative.**

The White House press office today released an information sheet on President Trump's announcement that he is launching a Manufacturing Jobs Initiative, a component of his "overall job creation agenda." The White House says the President will "be meeting with some of the world's most successful and creative business leaders to share their experiences and gain their insights. President Trump plans to continually seek information and perspectives from a diverse range of business leaders, including those listed below and others, on how best to promote job growth and get Americans back to work again."

The White House notes that President Trump thanked Dow Chemical CEO Andrew Liveris, who organized the first series of the meetings, for his "ongoing efforts in this regard." The initial list of business leaders assisting the initiative includes: Andrew Liveris, The Dow Chemical Company; Bill Brown, Harris Corporation; Michael Dell, Dell Technologies; John Ferriola, Nucor Corporation; Jeff Fettig, Whirlpool Corporation; Mark Fields, Ford Motor Company; Ken Frazier, Merck & Co., Inc.; Alex Gorsky, Johnson & Johnson; Greg Hayes, United Technologies Corp.; Marilynn Hewson, Lockheed Martin Corporation; Jeff Immelt, General Electric; Jim Kamsickas, Dana Inc.; Klaus Kleinfeld, Arconic; Brian Krzanich, Intel Corporation; Rich Kyle, The Timken Company; Thea Lee, AFL-CIO; Mario Longhi, U.S. Steel; Denise Morrison, Campbell Soup Company; Dennis Muilenburg, Boeing; Elon Musk, Tesla; Doug Oberhelman, Caterpillar; Scott Paul, Alliance for American Manufacturing; Kevin Plank, Under Armour; Mike Polk, Newell Brands; Mark Sutton, International Paper; Inge Thulin, 3M; Richard Tumka, AFL-CIO; and Wendell Weeks, Corning.

The White House adds that the attendees "may or may not change from session to session, but the specific agenda subjects will likely change because of the importance of this issue to the American economy and its workers. No consensus advice or recommendations resulting from group deliberations or interaction is expected or will be solicited."

### **Trump Commemorates Holocaust Remembrance Day.**

The White House today released a statement from President Trump on International Holocaust Remembrance Day. Trump says, "It is with a heavy heart and somber mind that we remember and honor the victims, survivors, heroes of the Holocaust. It is impossible to fully fathom the depravity and horror inflicted on innocent people by Nazi terror.

"Yet, we know that in the darkest hours of humanity, light shines the brightest. As we remember those who died, we are deeply grateful to those who risked their lives to save the innocent.

"In the name of the perished, I pledge to do everything in my power throughout my Presidency, and my life, to ensure that the forces of evil never again defeat the powers of good. Together, we will make love and tolerance prevalent throughout the world."

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**To:** Leslie Ritts[lsritts@rittslawgroup.com]  
**From:** Sugiyama, George  
**Sent:** Sun 7/16/2017 10:46:31 PM  
**Subject:** FW: Reuters: Transcript of Reuters interview with EPA Administrator Scott Pruitt, 7/12/17

**From:** Sparacino, Jessica  
**Sent:** Wednesday, July 12, 2017 1:07 PM  
**To:** AO OPA OMR CLIPS <AO\_OPA\_OMR\_CLIPS@epa.gov>  
**Subject:** Reuters: Transcript of Reuters interview with EPA Administrator Scott Pruitt, 7/12/17

### **Reuters**

<http://www.reuters.com/article/us-usa-epa-pruitt-text-idUSKBN19X01Z>

### **Transcript of Reuters interview with EPA Administrator Scott Pruitt**

By: Richard Valdmanis, 7/11/17, 8:28 p.m.

(Reuters) - U.S. Environmental Protection Agency Administrator Scott Pruitt gave Reuters a wide-ranging interview on Monday at his office in Washington, discussing issues from climate science to automobile emissions.

The following is a full transcript of the interview:

REUTERS: You have said the EPA will focus on a “Back to Basics” approach under your leadership. What does this mean for how EPA enforces polluters? You have been critical of the idea of regulation by enforcement.

PRUITT: I think what I’m speaking about there is a consent decree approach to enforcement, where you use judicial proceedings to actually engage in regulation. Enforcement should be about existing regulations that you’re actually enforcing against someone who may be violating that, very much in the prosecutorial manner. As attorney general [in Oklahoma], I lived that.



There was a grand jury that I led. Being a prosecutor, I understand very much the importance of prioritization, of enforcing the rule of law, of addressing bad actors. That's something we are going to do in a meaningful way across the broad spectrum of cases, whether it is in the office of air or the superfund area, or otherwise.

REUTERS: Do you want to see states play a bigger role in enforcing polluters, even though some have less of a capacity to do so – financially and personnel wise?

PRUITT: I think the state's role is really, when you look at this office working with states it should be how do we assist, how do we engage in compliance and assistance with states. The office [at EPA that deals with enforcement] is called OECA, the Office of Enforcement, Compliance and Assistance, so those are the tools we have in the tool box to achieve better outcomes. So what we ought to be doing is working proactively with state DEQs [Departments of Environmental Quality] to get their state implementation plans [for federal regulations] timely submitted, provide assistance and technical support, drive a draft of state implementation plans and then actually work with them on how to achieve through those plans better outcomes and air and water quality. As far as enforcement is concerned we will actually work with states. We actually did that recently with Colorado, there was an oil and gas company that was emitting some 3,000 tons, is that what it was, it was quite a bit, of... it was an ozone case. In any event, we joined with Colorado in that prosecution. So sometimes states will do it, sometimes we will join with them. The importance is, in my view, that with respect to achieving good environmental outcomes, you need to use all of the tools in the toolbox to achieve that – compliance, assistance and enforcement – and use that enforcement in a meaningful impactful way to ensure that actions are addressed in a timely way.

REUTERS: Some of the pending settlements that are out there – Harley-Davidson for example – where do they stand? And would you look at some of these previous settlements that were reached during the last days of the Obama administration and revisit them?

PRUITT: Well, I'm not familiar with... I don't know the latest on the Harley Davidson case... My review predominantly has been with respect to the consent decrees that were being used to engage in regulation. There is a distinction there. I want to make sure I'm saying that clearly. In one instance with respect to enforcement you have a regulation that has already been adopted and a standard that has to be met and a company that is not meeting the standard that was set by regulation. That is enforcement. This is what OECA should be working with the states to address. The part that has not been handled well over the past several years is the part where you have the EPA sued by third party, not an enforcement mechanism, but sued by an NGO, and that NGO is asking the court to compel this agency to take certain steps, either through change in

statute or time lines set by statute and then the agency will acquiesce through a consent decree changing the very statutory framework. That is regulation through litigation and that is inconsistent with the authority in my view of this agency. That has nothing to do with enforcement.

REUTERS: What are some examples that are egregious?

PRUITT: There is a host of consent decrees that I've inherited that we are evaluating on a case by case basis to see what authority we have to address those. But again, that is not enforcement that is completely under the banner of regulation by litigation. Let me say to you that it is important because Congress has said that as you engage in rulemaking you follow the administrative procedures act, which is you propose a rule, you take comment, you respond to that comment on the record, you make an informed decision and then you finalize the rule. The reason that is important is that is how you build consensus. That is how you hear from people at the state level. That is how you hear from states. That is how you hear from industry. All these various voices are heard in that process and you make a more robust and informed decision. And the merits of the rule, I think, are received better that way. And when you do it through one case, through litigation, and it is passed on to the rest of the country, voices are subverted in that process and it is not good decision-making.

REUTERS: With the cheat devices used by automakers to skirt EPA vehicle emission standards, did you think that some of those penalties were too harsh?

PRUITT: Look, what VW and Fiat... you've got this Fiat case that is on the horizon as well. The emails and the communications that I'm aware of: it was strategic and intentional and should be dealt with very aggressively. They knew very, very well what they did. I wouldn't call what was done too light at all. In fact, I would tell you that as we look forward... what VW did was very, very troublesome and we need to make sure it doesn't happen again.

REUTERS: Will you model EPA enforcement after what you did in Oklahoma as attorney general?

PRUITT: It is a completely different role that I had as attorney general. In fact, as I said during my confirmation process, the AG is not the enforcement arm at the state level with respect to

permitting. That is DEQ. The environmental unit that we set up in the previous administration was not set up to address enforcement. It was actually set up to address a nuisance claim that was filed against a company on poultry waste that we dealt with in other ways with the state of Arkansas. Long and short of it, the role that I have here is very different from the role. As it turned out we were not the front-line enforcer. It was the DEQ and the state regulatory bodies. Now we did provide assistance to them through general counsel, and they provided support and input to them. But as far as a standalone enforcement arm, that was handled by the individual agencies in the state of Oklahoma. Which is different than here [at EPA]. We have a robust, very important role of enforcement here. We are coordinating with the regions, making sure there is consistency across the regions...I tried to explain it during the confirmation hearing.

Look at Superfund. People don't usually equate that with enforcement. Under the CERCLA statute [the Comprehensive Environmental Response, Compensation, and Liability Act of 1980] we have joint and several liability with respect to potential responsible parties, and a large percentage of our portfolio at the Superfund is through responsible parties, private funding. I think the agency has not done the best job historically at holding those private parties accountable for the amount of waste and remediation that needs to take place. We have tremendous authority. I'm going to have a very thoughtful and meaningful enforcement response to Superfund to make sure that we are achieving good outcomes for citizens across the country with respect to that entire portfolio of 1,336 or so sites. Again, that is not often thought about in terms of enforcement. We think about air, we think about permitting, but we don't often think about remediation under CERCLA and I think we have got a lot of room for improvement and opportunity to get accountability in that area. I've got a report on my desk that spent thirty or so days. I'm doing the task force recommendations right now, on how to better achieve accountability from enforcement across the board.

REUTERS: But the administration's proposed budget for FY2018 proposes severe budget cuts across the board, including to Superfund ...

PRUITT: But there aren't. There aren't budget cuts across the board. We have a Continuing Resolution until the end of April that funded us around \$8 billion or so, and Congress is going through that process with respect to what the funding levels are going to be on Superfund. So the fact that we have a proposed budget... Congress is having that discussion and there haven't been any budget cuts taking place at this point and we're working with Congress to make sure that there is adequate funding to address both the enforcement side and the Superfund side.

REUTERS: When you saw the president's budget proposal which called for a 31 percent cut to the EPA budget, did it worry you?

PRUITT: I think there are certain parts of the agency that there is room for true legitimate cuts, and there are other parts of the agency where that is not the case - as it is in every department. But to take something like Superfund and say that whatever the proposed budget was means that we can't do what we need to do as far as our reform and accountability is just simply not accurate. Most of the challenges I've seen from the Superfund program have been related to attitude management leadership and less about money. But as I told Congress during the budget and nomination process, if I determine that we need more moneys there, we'll ask Congress, because that's the priority. Enforcement and Superfund are included in that category. When you're funding [inaudible] million dollars you've got room to cut. But I can tell you this, the core mission of the agency - improving air and water quality, addressing remediation as far as the superfund sites - those types of priorities ...

REUTERS: There have been reports about the EPA launching what has been called a red team-blue team review of climate change science. Can you tell us more about this? Will this lead to a re-evaluation of the 2009 endangerment finding that carbon dioxide endangers human health?

PRUITT: I'm thinking about it. Steve Koonin, professor at NYU, did a very exciting piece in the Wall Street Journal called Red Team Blue Team. I scheduled time with Steve in my office the week that article came out. I didn't know it was coming out... So Steve and I were meeting about some other things, and we didn't really focus on that, but I took the opportunity to talk to him about it and ... we're considering it. I think the American people deserve and honest, open, transparent discussion. What do we know? What don't we know? Does it pose an existential threat, what can be done about it? etc... There are lots of questions that have not been asked and answered. Who better to do that than a group of scientists? Red team scientists and blue team scientists getting together and having a robust discussion about that for all the world to see. So, I'm not a scientist, I'm an attorney. That does beg the question because there is a follow-up question to that, which is what can be done about it [climate change] that is statutory and legal? But as I've shared with senators in the confirmation process, Congress has never responded to this issue. If you ask people that amended the Clean Air Act in 1990, including [former Michigan Democratic] Congressman Dingle, he is endlessly quoted as saying that if you try to regulate greenhouse gases under the Clean Air Act of 1990 that it would create "a glorious mess." So the Clean Air Act was truly set up to address local and regional air pollutants. So, you hear often about the regulation of GHG and CO<sub>2</sub>, but there has to be a determination of what can be done. What are the tools in the toolbox? If the tools are not in the toolbox to address this issue, I can't, and this agency can't, just simply make it up. We can't re-imagine authority. The past administration tried to do that with its Clean Power Plan.

It was extraordinary what the Supreme Court did [in its 2014 ruling on the Utility Air Regulatory Group v. EPA case. The court backed the EPA's ability to regulate greenhouse gases from mobile and stationary sources but threw out its "tailoring rule," which revised the statutory thresholds for requiring federal air permits for greenhouse gases.] It said a lot. It said the authority the previous administration was trying to say that they had in regulating carbon dioxide wasn't there. So there are two parts to this question: what do we know/what don't we know? And two, what is the response...the statutory response? The red team blue team is intended to be a response that provides answers to the American people... the American people deserve, in my view, an open transparent honest discussion about this issue.... So we are contemplating being a part of that process.

REUTERS: The consensus has been overwhelming that climate change has been caused by human beings...

PRUITT: That's not the question. It is not a question about whether the climate is warming. It is not a question about whether human activity contributes to it. It is a question about how much we contribute to it? How do we measure that with precision? And by the way, are we on an unsustainable path? And what harm...is it causing an existential threat? There is another great piece in the New York Times by Brett Stephens, I think it was, that talked about the climate of complete certainty. His whole premise is that there is a basis of consensus we know but the politicians have done what? Created an elasticity approach. They've stretched it so far that it's reached a point where the credibility is being strained. That article, along with the red-team blue-team, I think those book-end this approach where we have a discussion about that. Some of the blue team scientists – they say oh we are not going to participate in that. Why not? Why don't you want to participate? It's like the New York Yankees according to them. It's like the New York Yankees playing a Little League team. If you're going to win and if you're so certain about it, come and do your deal. They shouldn't be scared of the debate and discussion. That's what science is all about. That's what scientific debate is about. Let's get red team scientists in. Let's get blue team scientists in. Let's let them question one another. That would be exciting to see.

REUTERS: But what would it look like?

PRUITT: It's in its formative stages. The idea is a good idea because it's an idea that advances science. It advances discussion. It advances transparency. It advances for the American people to consume and participate through this debate because there is not consensus on this issue. How do we know that? There has been no policy response. That's why we haven't seen Congress act because there has been such a question. It's not a question about whether warming is happening or whether we are contributing to it. That's not what we are debating. It's how much? To what

degree? The precision of measurement. Does it pose a meaningful threat? Is it unsustainable? There is a host of questions that will be asked and answered during the process. It's exciting.

REUTERS: But how would this be brought to the public? Would you put it on television?

PRUITT: "I think so. I think so. I mean, I don't know yet, but you want this to be open to the world. You want this to be on full display. I think the American people would be very interested in consuming that. I think they deserve it."

REUTERS: How do you guarantee the objectivity of scientists? Make sure there are no conflicts of interest?

PRUITT: That's why the red team blue team matters. Steve modeled this after national security and defense [exercises] - they kind of check one another. There is a consumption, an evaluation and interpretation. They will check one another.

REUTERS: Congress hasn't legislated on the endangerment finding. Will this scientific review lead to a review of the endangerment finding?

PRUITT: You have the 2007 Massachusetts vs. EPA ruling which most people misinterpret. Mass vs. EPA didn't say to the EPA that you must regulate CO2. What Mass vs. EPA said is that you must make a decision whether you regulate or not. You can't just simply not make a decision. That was whole thing about Mass vs. EPA. And then what happened in post script. What happened post script was in 2009 with the endangerment finding but that was for mobile sources. That's another thing that important. The endangerment funding was focused on mobile sources - cars - and section 111 [of the Clean Air Act]- what the [Obama administration] Clean Power Plan dealt with - was stationary sources. And they are separate requirements under section 111 of the Clean Air Act. There are a lot of process/ legal-related issues here that the previous administration didn't comply with. But the endangerment finding is only on the mobile side. When I say Congress hasn't responded, you've had a court case and an endangerment finding and then you've had an agency engage in regulatory response - by the way using tools currently in the Clean Air Act - and failed twice. They tried to respond to the endangerment finding by regulating under section 111 and failed and failed with the UARG decision (with the tailoring rule). So the question is begged - what are the tools in the toolbox? I talked about that

in my confirmation hearing. I've talked about that with individual senators. It's something that Congress has to ask and answer. We have no authority except that which Congress gives us. We can't just simply make it up. The previous administration made it up with WOTUS [the Waters of the United States act]. They re-imagined authority in defining the Waters of the United States to include things that included dry creek beds and puddles. It just went too far and the sixth circuit struck that down or put a stay in place and did the same with CO2. This Supreme Court has been very, very clear that this agency, like any other agency in the federal government, can't simply re-imagine authority and a large authority beyond the statutory text. The scientific review – the red team blue team discussion – is intended to have an open transparent debate about something that is a policy issue that is extremely important in this country that is not taking place. The endangerment finding in 2009 was based on IPCC [United Nations Intergovernmental Panel on Climate Change] information not on the science of this agency. The red team blue team is intended to provide that type of vehicle, mechanism, to have an open debate, discussion.

REUTERS: So you might take a look at the endangerment finding?

PRUITT: That's not what this is about. What this is about is exactly what I described.

REUTERS: Let's move on to the California waiver, which allows California to set its own more stringent emissions standards for vehicles. Is that something the EPA will review or change?

PRUITT: It's not under review right now.

REUTERS: Will you review it in the future?

PRUITT: The governor of California and I have traded correspondence with respect to California's role – very important. Congress has recognized it. They were regulating air quality before the Clean Air Act was adopted in 1972, which is why the California waiver exists. We've reached out to the California governor as part of our CAFE midterm review in 2018. I'm hopeful that the state of California, the governor there, will respond with reciprocity and we are working through that process.

REUTERS: Are there any meetings taking place now with automakers?

PRUITT: I don't know what conversations have taken place between automakers and California. The president and I were in Detroit announcing that the midterm review was going to take place when it should have taken place which is April of 2018, which is 16 months early, which occurred January this year. We restored process there and order there. We're going through the process now and we've reached out to California and believe that it is important to have a holistic discussion with California and we're optimistic that they will respond with reciprocity.

REUTERS: On the Renewable Fuel Standard- How seriously is the EPA taking the proposal by Trump advisor and billionaire investor Carl Icahn to move the point of obligation?

PRUITT: As you know, 18,000 comments were submitted. That was actually the process that began late in the last administration. We are still reviewing those comments. But the RFS is something – look, it's a statute that Congress has passed. And Congress – I take seriously the importance of enforcing a statute that Congress has passed and there are some challenges to that statute as you know. there are targets that have been put in prescriptively in the statute such as billions of gallons of cellulosic being blended into the fuel supply when I think the last numbers we had as far as produced numbers are around 190 million that's actually production. That's a problem and it makes it tough administering the statute. I think whatever waiver authority we use we use it judiciously. Tied to production and actual market demand. Our job is to fulfill the objectives as best as possible of the statute and we're going to do that. The RVOs [renewable volume obligations] were supposed to be published every year in November. The past administration didn't do that timely. We are. We are going to have those out in November. We're on path to do that which is very good for people across the country to know what is expected of them. That's going to be done timely. We just released our proposed volume numbers and the preamble and in the language of the RVOs we talked about production demand market realities with respect to those advanced fuels. We are seeking to do our job there in a very meaningful way. There is a lot of discussion on Capitol Hill about the statute and perhaps a bipartisan approach to update the statute because it actually expires in 2022 and so there's a lot of discussion about trying to update the statute. It's well received here and I encourage Congress to continue that.

REUTERS: What is your strategy with your legal defense of your moves to undo the Obama era rules? The D.C. Circuit Court of Appeals last week denied your bid to delay the Obama administration's regulations on methane.



PRUITT: There are various authorities. That (methane case) was a case about our authority to stay certain rules. That's distinct from withdrawing rules. On WOTUS [the Waters of the United States rule] we've actually proposed a withdrawal. I signed that on June 27 on energy dominance week. I think that our section 307 stay that we used there was because we were up against the compliance time and try to use authority that we thought was well established. We are going to respond to that accordingly. But going forward... I think it was a case focused on the facts of that particular case. I don't think it says anything to us with respect to authority we have to stay under section 705 of the administrative procedures act or section 307 of the Clean Air Act. Those are well established procedures we have. We will use them accordingly as necessary. That's what we are doing on the Clean Power Plan. We have a proposed rule to withdraw the CPP. What comes next is yet to be determined but what we do know with regards to that particular rule is that SCOTUS has issued a stay against it which means there is a likelihood of success on the merits as far as it being inconsistent with statutory authority and so it's not wise of this agency to use resources to advance the defense of a rule that maybe deficient. We are going to withdraw that and see what our authority is- the tools in the toolbox on that particular issue.

REUTERS: On Paris and climate change, polls show younger people are more supportive of U.S leadership on climate change. How do you explain your decision to a younger generation?

PRUITT: That's not what Paris was about. I get what you're saying but here's the deal though. It was not about whether the U.S. is going to continue leading on reducing our CO2 footprint because Paris didn't actually do that. Paris was a bumper sticker. Go back and read the articles about the criticism that was levied on the environmental left. They were very critical and dismissive of the Paris agreement. You know why? Because China didn't have to do anything until 2030 and India conditioned all of their obligations upon receiving two and a half trillion dollars of aid. Russia, India and China contributed 0 dollars to the Green Climate Fund. People have short memories there. We are already at pre 94 levels and we exited Kyoto in 2001 and from 2000 to 2014 we reduced our CO2 foot print by 18 plus percent. That's better than others across the globe. When people really want action and meaningful outcomes with regards to this, we are doing it. We are at pre-1994 levels. Paris was not in my view – it shouldn't be symbolic or optical with respect to whether progress or no progress is being made in CO2 reduction.

REUTERS: What do you think about the argument some major fossil fuel companies like Exxon and Cloud Peak Energy (coal company) made that it is better for the US to remain in the Paris agreement because it gives them a competitive advantage?

I don't understand that argument. I just simply don't understand that argument because if they

are saying that the technology that is being developed domestically that we are not going to be able to export and other countries will be interested in? Where is the evidence of that? China is still building coal facilities to the tune of almost one a day. They had 800 planned and they have scaled that back. India is going to continue burning coal. What we ought to be doing is exporting technology and innovation to help them do it cleaner. It is not the job of this agency and it shouldn't be the job of any regulatory body to force or pick winners and losers in the energy mix. We need fuel diversity as far as the generation of electricity because you can only get so much natural gas through the pipelines. So if there is an attack on your infrastructure with regards to the pipes and how natural gas is delivered to generate electricity, what do you do? You have to have a solid amount of hydrocarbons – coal stored on site – that allows you to address peak demand. If GDP growth is going to continue at 3 percent, then you've got to have [fuel] diversity- it's energy security across the board. It's unwise in business to have one client or two clients. It's unwise in electricity to have one source or two sources. In Oklahoma – 18 percent of our electricity is wind generated. This is an all of the above approach and EPA should not get in the business of foisting upon the markets decisions to say don't burn fossil fuels. The past administration was unapologetic. That's not what regulation should be about. Now Paris? Paris was a bad business deal for this country at the end of the day. It put us at an economic disadvantage. The US has never been about agreeing to targets. In this case, 26 - 28 percent [\*\*the U.S. pledge for emissions reductions under the Paris agreement] in this instance. Every rule that the previous administration adopted... Their entire climate action plan – fell 40 percent short. It was failed from the very beginning. So why did they go to Paris and agree to 26-28 percent targets? Because it provided exposure domestically. Third party groups – NGOs – could sue this agency and say you need to do more under section 115 of the Clean Air Act [a section of the CAA that enables the United States to work cooperatively with other nations to address trans-boundary air pollution]. So there was legal exposure and we were already leading the world with respect to CO2 reduction. To interpret the president – who said by the way engagement, renegotiate or another agreement – but the Paris agreement is bad for this country and doesn't achieve good environmental outcomes. We have nothing to be apologetic about with regards to what we are already going. It was absolutely a decision of courage and fortitude and truly represented an America First strategy with respect to how we are leading on this issue. Germany is burning more coal.

REUTERS: Didn't the US position on Paris isolate the United States at G20?

PRUITT: The past administration was all about words. This administration is all about action. Look at the actions this country has taken. We have reduced our greenhouse gas levels to pre 1994 levels primarily through technology and innovation, not through government mandate. We have nothing to be apologetic about with the rest of the world. And if we really want to do something about reducing the CO2 footprint, then hydraulic fracturing and horizontal drilling need to be exported to China and India and Europe because that has created the greatest reduction in CO2. And nuclear. Why is Germany going away from nuclear? They are abolishing their nuclear portfolio and increasing what? Their CO2 emissions. Why doesn't anyone talk to

chancellor Merkel about that?

REUTERS: Do you ever talk to your kids about climate change? Do they agree with you?

PRUITT: My kids are wonderfully talented individuals and their world view is wonderful. They look at these issues in a smart way and I think they would probably echo the things that I have shared.

---

Jessica Sparacino

US Environmental Protection Agency

Office of Public Affairs Intern

(202) 564-5327

WJCN 2502J

Message

---

**From:** Davis, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7FCA02D1EC544FBBD6FB2E7674E06B2-DAVIS, PATR]  
**Sent:** 5/15/2017 9:43:19 PM  
**To:** Kling, David [Kling.Dave@epa.gov]  
**Subject:** RE: News Alert: Trump revealed highly classified information to Russian diplomats in their Oval Office meeting last week

Thank you for sharing.

---

**From:** Kling, David  
**Sent:** Monday, May 15, 2017 3:13 PM  
**To:** Davis, Patrick <davis.patrick@epa.gov>  
**Subject:** FYI: News Alert: Trump revealed highly classified information to Russian diplomats in their Oval Office meeting last week

FYI, Patrick –

Media report – no details....

\*\*\*\*\*

**David J. Kling**, Associate Administrator for Homeland Security  
U.S. Environmental Protection Agency (1109A)  
Room 6426 William Jefferson Clinton Building North  
1200 Pennsylvania Ave., N.W., Washington, DC 20460  
202 564-6978, Desk 202 564-0317, Fax 202 501-0026

---

**From:** The Washington Post [mailto:email@e.washingtonpost.com]  
**Sent:** Monday, May 15, 2017 5:05 PM  
**To:** Kling, David <Kling.Dave@epa.gov>  
**Subject:** [SPAM] News Alert: Trump revealed highly classified information to Russian diplomats in their Oval Office meeting last week

*Democracy Dies in Darkness*

**News Alert**

Mon., May. 15, 2017 5:03 p.m.

## Trump revealed highly classified information to Russian diplomats in their Oval Office meeting last week

President Trump's disclosures jeopardized a critical source of intelligence on the Islamic State — an information-sharing arrangement considered so sensitive that

details have been withheld from allies and tightly restricted even within the U.S. government, current and former U.S. officials said. Trump's decision to share that information with Russian Foreign Minister Sergei Lavrov and Ambassador Sergey Kislyak risks the cooperation of the ally in the intelligence-sharing arrangement, which has access to the Islamic State's inner workings, officials said.

Trump appeared to be boasting of the "great intel" he receives when he described a looming terror threat, according to an official with knowledge of the exchange. Senior White House officials took steps to contain the damage after the meeting, which took place in the Oval Office one day after Trump fired FBI Director James B. Comey in the midst of a bureau investigation into links between the Trump campaign and Moscow.

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Message

---

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 6/4/2017 1:01:01 AM  
**To:** Ditto, Jessica E. EOP/WHO [Ex. 6]  
**CC:** Shah, Raj S. EOP/WHO [Ex. 6]; Hurley, Carolina L. EOP/WHO [Ex. 6]  
Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Morrone, Vanessa M. EOP/WHO [Ex. 6]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Henning, Alexa A. EOP/WHO [Ex. 6]  
**Subject:** Re: More Background/Holding Lines

Thank you

Sent from my iPhone

On Jun 3, 2017, at 8:51 PM, Ditto, Jessica E. EOP/WHO [Ex. 6] wrote:

No, I agree, that's the right posture

Sent from my iPhone

On Jun 3, 2017, at 8:33 PM, Shah, Raj S. EOP/WHO [Ex. 6] wrote:

On London, since details are still unfolding, the Administrator is in a good place expressing thoughts and prayers for victims and saying POTUS has been briefed and deferring further matters on it to the national security team.

Jessica, have additional thoughts?

Sent from my iPhone

On Jun 3, 2017, at 3:42 PM, Shah, Raj S. EOP/WHO [Ex. 6] wrote:

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

### New York Times story – small business growth

#### **Small Businesses Cheer ‘New Sheriff In Town’ After Climate Pact Exit**

By Landon Thomas Jr.

New York Times

June 2, 2017

As news that President Trump was pulling out of the Paris climate accord hit at a luncheon for small-business owners in Toledo, Ohio, on Thursday, an already happy crowd suddenly turned euphoric.

“It was like a major win at a football game,” said Rick Longenecker, a management consultant who had been among the 50 or so attendees who gathered to trade thoughts amid a rapidly improving local economy.

While multinational corporations such as Disney, Goldman Sachs and IBM have opposed the president’s decision to walk away from the international climate agreement, many small companies around the country were cheering him on, embracing the choice as a tough-minded business move that made good on Mr. Trump’s commitment to put America’s commercial interests first.

...

In Michigan, Ohio, Missouri and beyond, many small businesses are reporting improved sales and bigger work forces — regardless of what is going on in Washington.

“We’ve had customers who actually brought business back from Mexico that we haven’t done in seven years,” said Bill Polacek, president of JWF Industries, a manufacturer in Johnstown, Pa.

...

“There is a new sheriff in town,” said Louis M. Soltis, the owner of a company in Toledo that manufactures control panels for large factories. “But the biggest frustration that I have is that there is so much resistance that is keeping him from moving forward.”

In the months following Mr. Trump’s election victory, as stock markets hit historical highs and companies kept adding jobs, the business community as a whole seemed willing to give the president a chance to follow through on his bold promises to revitalize the economy by cutting taxes and rolling back regulations.

...

Many small-business leaders in the Midwest, on the other hand, were largely unfazed.

For those more concerned with their local economies than global greenhouse gas emissions, walking away from the Paris agreement was just another example of a bottom-line business decision made by a president who knows a good deal from a bad one.

"This just heightens the divide between big business and small business," said Jeffrey Korzenik, an investment strategist for Fifth Third Bank in Cincinnati who spends much of his time talking to small businesses in the Midwest. "They really have different worldviews."

At the root of this disconnect is a sense that companies that employ up to a few hundred workers — such companies make up 99 percent of businesses in the United States and account for half of its private sector employment — are held to a more onerous standard than their larger peers when it comes to complying with regulations.

[Click Here To Read The Full Article](#)

###

Raj Shah  
Deputy Assistant to the President  
Deputy Communications Director & Research Director  
The White House

**Ex. 6**



Message

---

**From:** Dewey, Amy [Dewey.Amy@epa.gov]  
**Sent:** 7/11/2017 5:54:12 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**Subject:** Perry backs probe into whether Russia funded anti-fracking groups

Please take a look at this, I would like to talk to you when you can about this probe!

---

**Subject:** Perry backs probe into whether Russia funded anti-fracking groups

By Darius Dixon

07/11/2017 01:44 PM EDT

The Trump administration should investigate allegations pressed by House Republicans that Russia sought to sway public opinion against fracking, Energy Secretary Rick Perry said today.

Perry said he expects the Treasury Department to launch a probe into whether figures connected to the Russian government secretly funded environmental organizations opposed to the practice. The charge was recently floated by House Science Chairman Lamar Smith as well as a Monday column in The Wall Street Journal.

"Absolutely," Perry told Fox Business this morning when he was asked whether he expected Treasury Secretary Steven Mnuchin to investigate.

"Steve's very capable, very focused business individual who knows that this type of activity has got to be investigated, it's got to be halted... We shouldn't be surprised that there are people trying to manipulate the market out there," Perry added. "It's been going on forever."

Administration critics say the focus on Russia's anti-fracking activities is an effort to distract from the country's interference in the 2016 election — and the ongoing investigations into whether President Donald Trump or his team were involved.

Last week, Smith and fellow Texas Republican Randy Weber wrote a letter to Mnuchin asking him to probe whether Russian efforts to thwart fracking in Europe had extended to U.S. environmental groups. The letter cited reports dating back to 2014 and 2015 alleging money was secretly funneled through Bermuda to the groups.

The Energy Department declined to comment and the Treasury Department didn't respond to a request for comment.

*To view online:*

<https://www.politicopro.com/energy/whiteboard/2017/07/perry-backs-probe-into-whether-russia-funded-anti-fracking-groups-090283>

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---

Message

**From:** Dorr, Kaelan K. EOP/WHO [Ex. 6]  
**Sent:** 5/2/2017 11:10:03 PM  
**To:** Freire, JP [Freire.JP@epa.gov]; Cheung, Steven EOP/WHO [Ex. 6]  
**CC:** Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]  
**Subject:** RE: Trump on the Paris Agreement

Thanks my man!

---

**From:** Freire, JP [mailto:Freire.JP@epa.gov]  
**Sent:** Tuesday, May 2, 2017 7:08 PM  
**To:** Dorr, Kaelan K. EOP/WHO [Ex. 6]  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>  
**Subject:** FW: Trump on the Paris Agreement

Hey Kaelan,

Here you go— [Ex. 5 Deliberative Process (DP)] Specific sources cited below.

**“the one-sided Paris climate accord, where the United States pays billions of dollars while China, Russia, and India have contributed and will contribute nothing.”**

**Source:** Green Climate Fund, “Contributors,” available at: <http://www.greenclimate.fund/partners/contributors/resources-mobilized>.

From our memo -

**Green Climate Fund:** The Green Climate Fund (GCF) is the key funding mechanism of the Paris Climate Agreement. The beneficiaries are small, developing nations. The fund is slated to grow to \$100 billion by 2020.

- The Green Climate Fund currently has \$10.13 billion contributed from 43 governments.<sup>[1]</sup>
- Obama Administration unlawfully committed \$3 billion to the Green Climate Fund, which is approximately 30% of the initial funding.<sup>[2]</sup>
- China will contribute \$0.<sup>[3]</sup>
- India will contribute \$0.<sup>[4]</sup>
- Russia will contribute \$0.<sup>[5]</sup>

**“it's estimated that full compliance with the agreement could ultimately shrink America's GDP by \$2.5 trillion over a 10-year period.”**

**Source:** Heritage Foundation, “To Save American Jobs, Leave the Paris Agreement Now,” March 20, 2017, available at: <http://www.heritage.org/jobs-and-labor/commentary/save-american-jobs-leave-the-paris-agreement-now>

From our Memo -

---

<sup>[1]</sup> Green Climate Fund, “Contributors,” available at: <http://www.greenclimate.fund/partners/contributors/resources-mobilized>.

<sup>[2]</sup> OECD “2020 Projections of Climate Finance Towards the USD 100 Billion Goal” (2016) available at: <https://www.oecd.org/environment/cc/Projecting%20Climate%20Change%202020%20WEB.pdf>

<sup>[3]</sup> Id.

<sup>[4]</sup> Id.

<sup>[5]</sup> Id.

**Undermines U.S. Competitiveness and Jobs:** A recent report<sup>[6]</sup> assessing the overall impact of higher energy costs found over the next decade, United States involvement in the Paris Agreement would result in:

- An aggregate U.S. gross domestic product (GDP) loss of over \$2.5 trillion.
- An overall annual average shortfall of nearly 400,000 American jobs, including an average manufacturing shortfall of over 200,000 jobs; and
- A total income loss of more than \$30,000 for a family of four.

---

**From:** Dorr, Kaelan K. EOP/WHO [Ex. 6]  
**Sent:** Tuesday, May 2, 2017 10:58 AM  
**To:** Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Rateike, Bradley A. EOP/WHO [Ex. 6]  
**Subject:** Fwd: Trump on the Paris Agreement

Team EPA - see below

Sent from my iPhone

Begin forwarded message:

**From:** "Cheung, Steven EOP/WHO" [Ex. 6]  
**Date:** May 2, 2017 at 10:56:58 AM EDT  
**To:** "Dorr, Kaelan K. EOP/WHO" [Ex. 6]  
**Subject:** FW: Trump on the Paris Agreement

Fact check below. Just need some sources/cites to back up what POTUS said at the Harrisburg event on Saturday.

Steven Cheung  
Special Assistant to the President and  
Assistant Communications Director

**Ex. 6**

---

**From:** Vanessa Schipani [mailto:vanessa.schipani@factcheck.org]  
**Sent:** Monday, May 1, 2017 12:18 PM  
**To:** Cheung, Steven EOP/WHO [Ex. 6]  
**Subject:** Trump on the Paris Agreement

Hi Steven,

I'm the science writer over at [FactCheck.org](http://FactCheck.org) and I'm looking into two claims President Trump made over the weekend in Harrisburg. He said:

---

<sup>[6]</sup> Heritage Foundation, "To Save American Jobs, Leave the Paris Agreement Now," March 20, 2017, available at: <http://www.heritage.org/jobs-and-labor/commentary/save-american-jobs-leave-the-paris-agreement-now>

“Our government rushed to join international agreements where the United States pays the costs and bears the burdens while other countries get the benefit and pay nothing. This includes deals like **the one-sided Paris climate accord, where the United States pays billions of dollars while China, Russia, and India have contributed and will contribute nothing.** Does that remind you of the Iran deal? How about that beauty, right? On top of that, **it's estimated that full compliance with the agreement could ultimately shrink America's GDP by \$2.5 trillion over a 10-year period.** That means factories and plants closing all over our country.”

First, when Trump said “China, Russia, and India have contributed and will contribute nothing,” what exactly is he talking about? How much money these countries have spent on implementing the Paris Accord? Contributions to the Green Climate Fund? Something else?

Second, can you also provide evidence for his claim that “the United States pays billions of dollars while China, Russia, and India have contributed and will contribute nothing”?

Can you also provide evidence for the claim that “it's estimated that full compliance with the agreement could ultimately shrink America's GDP by \$2.5 trillion over a 10-year period”?

If you could get back to me as soon as possible – today would be great – I would appreciate it.

Best,

Vanessa Schipani  
Science Writer, [FactCheck.org](https://factcheck.org)  
Annenberg Public Policy Center  
University of Pennsylvania  
202 S. 36th Street, Philadelphia, PA 19104  
215-746-0281 | [vanessa.schipani@factcheck.org](mailto:vanessa.schipani@factcheck.org)

Message

---

**From:** Freire, JP [Freire.JP@epa.gov]  
**Sent:** 5/2/2017 11:07:17 PM  
**To:** Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]  
**CC:** Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** RE: Trump on the Paris Agreement

Useful for us too! Thanks Mandy, especially for the superhumanly fast turnaround.

---

**From:** Gunasekara, Mandy  
**Sent:** Tuesday, May 2, 2017 7:06 PM  
**To:** Freire, JP <Freire.JP@epa.gov>  
**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>  
**Subject:** RE: Trump on the Paris Agreement

We sent in that info. **Ex. 5 Deliberative Process (DP)** Specific sources cited below.

**“the one-sided Paris climate accord, where the United States pays billions of dollars while China, Russia, and India have contributed and will contribute nothing.”**

Source: Green Climate Fund, “Contributors,” available

at: <http://www.greenclimate.fund/partners/contributors/resources-mobilized>.

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Source: Heritage Foundation, “To Save American Jobs, Leave the Paris Agreement Now,” March 20, 2017, available at: <http://www.heritage.org/jobs-and-labor/commentary/save-american-jobs-leave-the-paris-agreement-now>

From our Memo -

---

<sup>[1]</sup> Green Climate Fund, “Contributors,” available at: <http://www.greenclimate.fund/partners/contributors/resources-mobilized>.

<sup>[2]</sup> OECD “2020 Projections of Climate Finance Towards the USD 100 Billion Goal” (2016) available at: <https://www.oecd.org/environment/cc/Projecting%20Climate%20Change%202020%20WEB.pdf>

<sup>[3]</sup> Id.

<sup>[4]</sup> Id.

<sup>[5]</sup> Id.

**Undermines U.S. Competitiveness and Jobs:** A recent report<sup>[6]</sup> assessing the overall impact of higher energy costs found over the next decade, United States involvement in the Paris Agreement would result in:

- An aggregate U.S. gross domestic product (GDP) loss of over \$2.5 trillion.
- An overall annual average shortfall of nearly 400,000 American jobs, including an average manufacturing shortfall of over 200,000 jobs; and
- A total income loss of more than \$30,000 for a family of four.

---

**From:** Freire, JP

**Sent:** Tuesday, May 2, 2017 6:58 PM

**To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>

**Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

**Subject:** FW: Trump on the Paris Agreement

Hey Mandy,

Think this is up your alley to the extent it's possible!

---

**From:** Dorr, Kaelan K. EOP/WHO Ex. 6

**Sent:** Tuesday, May 2, 2017 10:58 AM

**To:** Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Rateike, Bradley A. EOP/WHO Ex. 6

**Subject:** Fwd: Trump on the Paris Agreement

Team EPA - see below

Sent from my iPhone

Begin forwarded message:

**From:** "Cheung, Steven EOP/WHO" Ex. 6

**Date:** May 2, 2017 at 10:56:58 AM EDT

**To:** "Dorr, Kaelan K. EOP/WHO" Ex. 6

**Subject:** FW: Trump on the Paris Agreement

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Special Assistant to the President and  
Assistant Communications Director

**Ex. 6**

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<sup>[6]</sup> Heritage Foundation, "To Save American Jobs, Leave the Paris Agreement Now," March 20, 2017, available at: <http://www.heritage.org/jobs-and-labor/commentary/save-american-jobs-leave-the-paris-agreement-now>

---

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**Sent:** Monday, May 1, 2017 12:18 PM  
**To:** Cheung, Steven EOP/WHO { Ex. 6 }  
**Subject:** Trump on the Paris Agreement

Hi Steven,

I'm the science writer over at [FactCheck.org](http://FactCheck.org) and I'm looking into two claims President Trump made over the weekend in Harrisburg. He said:

"Our government rushed to join international agreements where the United States pays the costs and bears the burdens while other countries get the benefit and pay nothing. This includes deals like **the one-sided Paris climate accord, where the United States pays billions of dollars while China, Russia, and India have contributed and will contribute nothing.** Does that remind you of the Iran deal? How about that beauty, right? On top of that, **it's estimated that full compliance with the agreement could ultimately shrink America's GDP by \$2.5 trillion over a 10-year period.** That means factories and plants closing all over our country."

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If you could get back to me as soon as possible – today would be great – I would appreciate it.

Best,

Vanessa Schipani  
Science Writer, [FactCheck.org](http://FactCheck.org)  
Annenberg Public Policy Center  
University of Pennsylvania  
202 S. 36th Street, Philadelphia, PA 19104  
215-746-0281 | [vanessa.schipani@factcheck.org](mailto:vanessa.schipani@factcheck.org)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

## Consequences of the “America Second” Approach and the Paris Agreement

THE ADMINISTRATOR

- The Paris Agreement is a bad deal for America in two primary ways: *first*, by frontloading costs for the American people to the detriment of our economy and job growth; and *second*, by extracting meaningless commitments from top global emitters.
- The Obama Administration made a promise to reduce U.S. emissions 26 to 28% below 2005 levels by 2025. Industry groups and environmentalists agreed this commitment was “unachievable.”<sup>1</sup>

**Undermines U.S. Competitiveness and Jobs:** A recent report<sup>2</sup> assessing the overall impact of higher energy costs found over the next decade, United States involvement in the Paris Agreement would result in:

- An aggregate U.S. gross domestic product (GDP) loss of over \$2.5 trillion.
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- The Green Climate Fund currently has \$10.13 billion contributed from 43 governments.<sup>3</sup>
- Obama Administration unlawfully committed \$3 billion to the Green Climate Fund, which is approximately 30% of the initial funding.<sup>4</sup>

---

<sup>1</sup> US Senate EPW Committee Hearing, “Road to Paris: Examining the President’s International Climate Agenda and Implications for Domestic Environmental Policy,” July 8, 2015, available at:

<https://www.epw.senate.gov/public/index.cfm/hearings?ID=99E70038-05CB-4E63-8695-231A8995D089>

<sup>2</sup> Heritage Foundation, “To Save American Jobs, Leave the Paris Agreement Now,” March 20, 2017, available at:

<http://www.heritage.org/jobs-and-labor/commentary/save-american-jobs-leave-the-paris-agreement-now>

<sup>3</sup> Green Climate Fund, “Contributors,” available at: <http://www.greenclimate.fund/partners/contributors/resources-mobilized>.

<sup>4</sup> OECD “2020 Projections of Climate Finance Towards the USD 100 Billion Goal” (2016) available at: <https://www.oecd.org/environment/cc/Projecting%20Climate%20Change%202020%20WEB.pdf>

- Organisation for Economic Co-operation and Development (OECD) estimates that by 2020 \$67 billion will be raised from public financing (private funding is expected to make up the rest).
- At current commitment levels, the U.S. would commit \$18 to \$20 billion.
- China will contribute \$0.<sup>5</sup>
- India will contribute \$0.<sup>6</sup>
- Russia will contribute \$0.<sup>7</sup>
- Days after the Obama Administration unlawfully submitted its initial contribution of \$500 million, the Green Climate Fund announced it would increase the number of permanent staff by 150% - from 56 to 140 positions.<sup>8</sup>
  - The second unlawful installment was made on January 17, 2017.

**Clean Power Plan and other costly climate regulations:** The Obama Administration pledged to reduce US GHGs 26-28%. To satisfy his promise, it developed a host of domestic actions that would raise energy costs, undermine the U.S. economic competitiveness, and impede job growth. The centerpiece was the Clean Power Plan, which was projected to do the following:

- Cost of Compliance: \$292 billion over 10 years
- Result in double digit electricity price increases in 40 states.
- Cost over 125,000 American jobs.
- Produce modest environmental benefits undone by a few days of emissions from China.
  - 14 days of dioxide reductions (CO<sub>2</sub>) emission from China would offset the CO<sub>2</sub> emissions achieved in 2030 -- the final year of the CPP.

**Set-up to Fail:** The Obama Administration commitments set the United States up to fail as the 26-28% emission rate reductions by 2025 are not achievable, which environmental groups and industry agree. There was a 40% gap in meeting the emission reduction with the Clean Power Plan. Without the CPP, the methane rule for oil and gas, the gap is over 60%.

- Below highlights the effect of President's Trump Energy Independence Executive Order on the Obama-era commitments.

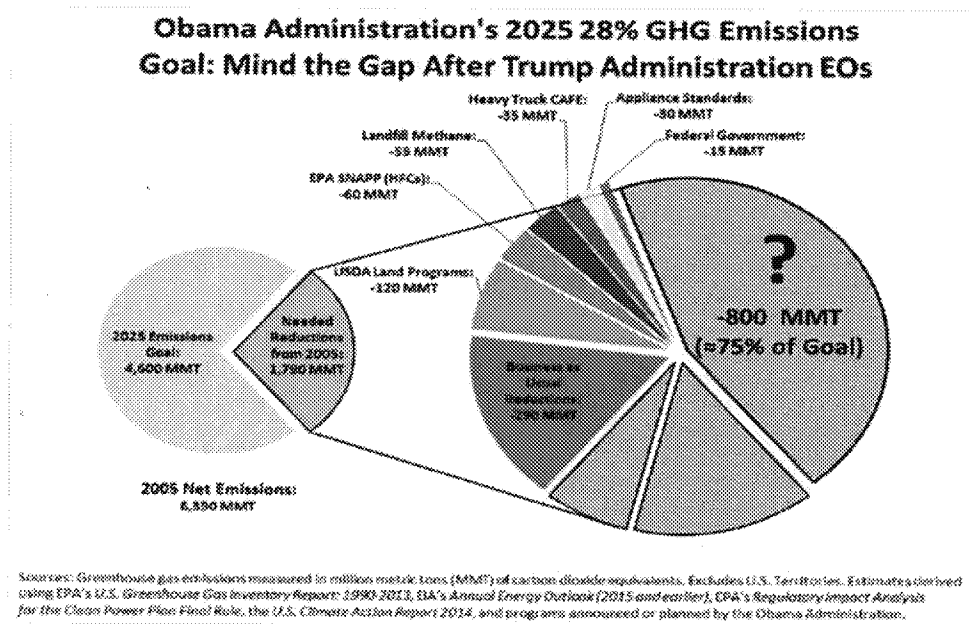
---

<sup>5</sup> Id.

<sup>6</sup> Id.

<sup>7</sup> Id.

<sup>8</sup> CNS News, "Days After \$500 Million US Contribution, U.N. Green Climate Fund Increases Staff by 150%," March 14, 2016, available at: <http://www.cnsnews.com/news/article/patrick-goodenough/>.



**Not an opportunity to renegotiate or back-slide on current commitments:** Paris Agreement parties are required to submit a new commitment every five years starting in 2020 reflective of the “ratcheting up” provision that requires commitments to be more ambitious than the previous submission. There is no provision that allows for reduced commitments.

Message

---

**From:** Bowman, Liz [Bowman.Liz@epa.gov]  
**Sent:** 6/6/2017 6:02:36 PM  
**To:** Lori Robertson [lori.robertson@factcheck.org]  
**CC:** Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Subject:** FW: question on Scott Pruitt MTP appearance

Hi Lori – For background: when Administrator Pruitt referred to the rest of the world, he primarily meant China, India and Russia, which are the top polluters that did not commit any substantive action until much later on, or until receipt of significant funding. In Russia's case, they committed to actually increasing emissions, since their baseline for action is 1990 levels. The EU and a few other countries made emission commitments, but none took actions similar to what the Clean Power Plan, and the rest of Obama's climate action agenda would have done to the U.S. economy.

**Countries commitments (Nationally Determined Contributions or NDCs) are inherently mismatched<sup>[1]</sup>:** Of the top 4 GHG emitters – China, India, Russia and the United States – the US is the only country that made a commitment to actually reduce emissions. The rest of the countries "commitments" are nothing more than a continuation of the status quo:

- China (the world's top emitter) commits to continue to increase emissions for the next 13 years (to 2030) while absorbing the jobs and investments regulatory costs carbon mandates send overseas.<sup>[2]</sup>
- India makes its commitments contingent on receiving \$2.5 trillion from the developed world.<sup>[3]</sup>
- Russia commits to reduce net GHG 25 to 30% by 2030, but conveniently uses 1990 as its base line, which allows the country to actually increase emissions (700 to 900 tons) in 2030.<sup>[4]</sup>
- United States committed to reducing GHG 26 to 28% by 2025<sup>[5]</sup> primarily relying on the Clean Power Plan, which would have:
  - cost \$292 billion over 10 years (compliance only)<sup>[6]</sup>
  - resulted in double digit electricity price increases in 41 states,<sup>[7]</sup> and
  - sent 125,000 American jobs overseas.<sup>[8]</sup>

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**From:** Lori Robertson [mailto:lori.robertson@factcheck.org]  
**Sent:** Tuesday, June 6, 2017 12:54 PM

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<sup>[1]</sup> Stephen Eule on behalf of US Chamber of Commerce Testimony before the US Senate Environment and Public Works Committee (November 18, 2015) available at: [https://www.epw.senate.gov/public/\\_cache/files/3f20f502-aca6-433e-afc5-22b57d9d051f/eule-testimony.pdf](https://www.epw.senate.gov/public/_cache/files/3f20f502-aca6-433e-afc5-22b57d9d051f/eule-testimony.pdf)

<sup>[2]</sup> Enhanced Actions on Climate Change: China's Intended Nationally Determined Contributions (June 30, 2015) available at: <http://www4.unfccc.int/Submissions/INDC/Published%20Documents/China/1/China's%20INDC%20-%20on%2030%20June%202015.pdf>

<sup>[3]</sup> India's Intended Nationally Determined Contribution: Working Towards Climate Justice (October 1, 2015) available at: <http://www4.unfccc.int/Submissions/INDC/Published%20Documents/India/1/INDIA%20INDC%20TO%20UNFCCC.pdf>

<sup>[4]</sup> Russian Submission (April 1, 2015) available at: <http://www4.unfccc.int/submissions/indc/Submission%20Pages/submissions.aspx>

<sup>[5]</sup> United States INDC (March 31, 2015) available at: <http://www4.unfccc.int/Submissions/INDC/Published%20Documents/United%20States%20of%20America/1/U.S.%20Cover%20Note%20INDC%20and%20Accompanying%20Information.pdf>

<sup>[6]</sup> ACCCE, The Truth About the Clean Power Plan (November 7, 2015), available at: <http://www.americaspower.org/nera/>

<sup>[7]</sup> Id.

<sup>[8]</sup> American Action Forum, EPA's Greenhouse Gas Regulation Expects Coal Generation to Decline 48 Percent, (August 4, 2015) available at: <https://www.americanactionforum.org/research/epas-greenhouse-gas-regulation-expects-coal-generation-to-decline-48-percen/>

**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** Re: question on Scott Pruitt MTP appearance

Yes that's fine. Thanks

Sent from my iPhone

On Jun 6, 2017, at 11:56 AM, Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)> wrote:

Hi Lori – I am tied up in meetings until this afternoon, can I get back to you by the end of the day? Thanks – Liz

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**From:** Lori Robertson [<mailto:lori.robertson@factcheck.org>]  
**Sent:** Tuesday, June 6, 2017 11:50 AM  
**To:** Bowman, Liz <[Bowman.Liz@epa.gov](mailto:Bowman.Liz@epa.gov)>  
**Subject:** question on Scott Pruitt MTP appearance

Hi Liz,

We were looking at this claim by Scott Pruitt on NBC's "Meet the Press" on Sunday:

Pruitt: "We were going to take steps, front loading our costs while the rest of the world waited to reduce their CO2 footprint. That's the reason it put us at a very much an economic disadvantage internationally."

But the "rest of the world" wasn't waiting to reduce carbon emissions. Several countries set targets of reducing emissions. The European Union, for example, set a goal of a 40 percent reduction in greenhouse gas emissions by 2030 below its 1990 level.

Later in the same interview, Pruitt said: "The reason they said those things Chuck, is because the rest of the world, China and India, the largest two polluters that we have on the planet did not have to take any steps until after 2030, and the United states front loaded their costs through things like the clean Power Plan, other rules here domestically, that contracted our economy."

China and India – and other developing countries – delayed an absolute reduction, but why does Pruitt say "the rest of the world" waited to reduce their emissions?

Thanks,  
Lori

*Lori Robertson*  
*[FactCheck.org](http://FactCheck.org)*  
*Washington, D.C., office*  
*202-486-5857*

Message

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**From:** Freire, JP [Freire.JP@epa.gov]  
**Sent:** 5/16/2017 2:31:03 PM  
**To:** Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]  
**Subject:** RE: WH Number

Or about the supposed sharing of classified information during the meeting with the Russians.

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**From:** Bowman, Liz  
**Sent:** Tuesday, May 16, 2017 10:30 AM  
**To:** Graham, Amy <graham.amy@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: WH Number

Amy, please tell them that he is NOT going to talk about Comey or Paris.

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**From:** Graham, Amy  
**Sent:** Tuesday, May 16, 2017 10:30 AM  
**To:** Freire, JP <Freire.JP@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: WH Number

On it

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**From:** Freire, JP  
**Sent:** Tuesday, May 16, 2017 10:24 AM  
**To:** Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** RE: WH Number

Go ahead and start the conversation. Topics: What was so great about the last administration on the environment? See <http://www.hughhewitt.com/epa-administrator-scott-pruitt-new-direction-e-p/>

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**From:** Graham, Amy  
**Sent:** Tuesday, May 16, 2017 10:22 AM  
**To:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>  
**Subject:** RE: WH Number

Any update? We're not going to be able to get on F&F if we wait too much longer. And even at this juncture it may be a long shot.

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**From:** Bowman, Liz  
**Sent:** Tuesday, May 16, 2017 9:45 AM  
**To:** Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>  
**Cc:** Graham, Amy <graham.amy@epa.gov>  
**Subject:** WH Number

Can you please send me Alexa's number or let us know if Amy can book F&F?

Liz Bowman

U.S. Environmental Protection Agency (EPA)  
Deputy Associate Administrator for Public Affairs  
Office: 202-564-3293

Message

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**From:** Milbourn, Cathy [Milbourn.Cathy@epa.gov]  
**Sent:** 3/6/2017 9:49:19 PM  
**To:** Konkus, John [konkus.john@epa.gov]  
**Subject:** RE: changes to CAFE standards

ok

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**From:** Konkus, John  
**Sent:** Monday, March 06, 2017 4:49 PM  
**To:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>  
**Subject:** Re: changes to CAFE standards

Yes and please get her the answer.

Sent from my iPhone

On Mar 6, 2017, at 4:34 PM, Milbourn, Cathy <Milbourn.Cathy@epa.gov> wrote:

John- ok to send this to the press box?

**From:** Davenport, Coral [mailto:coral.davenport@nytimes.com]  
**Sent:** Monday, March 06, 2017 3:49 PM  
**To:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: changes to CAFE standards

Great, thanks Cathy.

1 more q: About how many positions at EPA require Senate confirmation?

Cheers,  
cd

On Mon, Mar 6, 2017 at 12:55 PM, Milbourn, Cathy <Milbourn.Cathy@epa.gov> wrote:

Coral,

I will pass your question along.

Cathy

**From:** Davenport, Coral [mailto:coral.davenport@nytimes.com]  
**Sent:** Monday, March 06, 2017 12:44 PM  
**To:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Ericksen, Doug <ericksen.doug@epa.gov>  
**Subject:** Re: changes to CAFE standards



Thanks, Cathy. Meanwhile, another q -- we're casting a net on this to all Cabinet members.

Was Pruitt in touch w Ambassador Kislyak or other Russian officials during the campaign or the transition? Just need a yes or no answer.

Thanks,

Coral

On Mon, Mar 6, 2017 at 9:59 AM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Hi Coral:

You can attribute this to an EPA spokesperson:

We don't have anything more to offer at this time.

---

**From:** Coral Davenport [<mailto:coral.davenport@nytimes.com>]

**Sent:** Monday, March 06, 2017 9:35 AM

**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>

**Cc:** Ericksen, Doug <[ericksen.doug@epa.gov](mailto:ericksen.doug@epa.gov)>

**Subject:** changes to CAFE standards

Announcement sill expected Tuesday? Can you offer details on embargo? Any other guidance?

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)

O [202-862-0359](tel:202-862-0359)

C [703-618-0645](tel:703-618-0645)

Twitter @CoralMDavenport

On Mar 3, 2017, at 10:59 PM, Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)> wrote:

Hi Coral,

You can attribute this comment to an EPA spokesperson:

We do not have a comment at this time.

Cathy

Sent from my iPhone

Cathy Milbourn

Office of Media Relations

[202-564-7849](tel:202-564-7849)

[202-420-8648](tel:202-420-8648)

On Mar 3, 2017, at 7:45 PM, Davenport, Coral  
<[coral.davenport@nytimes.com](mailto:coral.davenport@nytimes.com)> wrote:

cld you guys confirm or comment?

tkx so much

--

Coral Davenport

Energy and Environment Correspondent

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Washington, DC 20006

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O 202-862-0359  
C 703-618-0645  
Twitter @CoralMDavenport

Message

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**From:** Wilcox, Jahan [wilcox.jahan@epa.gov]  
**Sent:** 5/9/2017 9:56:09 PM  
**To:** Freire, JP [Freire.JP@epa.gov]; Konkus, John [konkus.john@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]  
**Subject:** BREAKING NEWS: Trump fires FBI Director James Comey

President Donald Trump has fired FBI Director James Comey - a move that comes as the FBI is probing potential contacts between Trump's campaign aides and Russian officials ahead of the election.

"The president has accepted the recommendation of the Attorney General and the deputy Attorney General regarding the dismissal of the director of the Federal Bureau of Investigation," White House press secretary Sean Spicer told reporters.

It was not immediately clear exactly why Comey was ousted.

Comey, who was appointed FBI director by former President Barack Obama in 2013 to a 10-year term, has come under fire for his handling of both the Trump campaign probe and the investigation into Hillary Clinton's use of a private email server while she was secretary of state.